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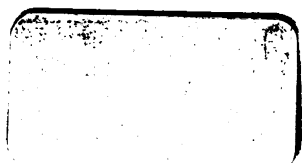
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— paroles and probation division.

MICHIGAN

REPORT OF PROCEEDINGS

OF THE

ADVISORY BOARD

IN THE

MATTER OF PARDONS

FOR THE

YEAR ENDING NOVEMBER 29, 1894

WITH APPENDIX



BY AUTHORITY

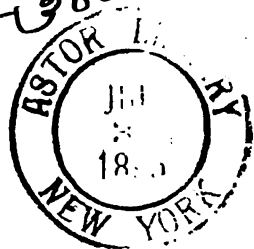
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LETTER OF TRANSMITTAL.

HON. JOHN T. RICH, *Governor of Michigan*:

Sir—We have the honor to transmit herewith the proceedings of the advisory board in the matter of pardons for the year ending November 29, 1894.

During the year the board have had under consideration 185 applications for executive clemency. In 15 of these clemency has been recommended, 39 applications having been denied, and the terms of imprisonment of 14 convicts whose applications have been before us for consideration have expired without final action having been taken.

This board was appointed, under the law of 1893, on November 29, 1893, and held its first session on December 6 following, at which time nearly 100 applications were in waiting for its investigation and action. The board has endeavored to give its most careful attention to the consideration of these numerous applications, and every case has been investigated personally by at least one member of the board. A full and fair hearing has been given to all who desired to appear before the board to pray for the release of any convict, and a personal interview has been had with every convict who has made application. This has required much time and the holding of several sessions of the board at each of the State prisons. Sessions of the board have also been held at other places in the State for the purpose of interviewing parties interested, and to ascertain facts and circumstances and gain needed information in particular cases.

The board is hampered somewhat in its investigations through inability to obtain the testimony on which conviction was had, on account of the applicant or his friends not being able to pay the cost of obtaining the same. Meritorious cases are many times delayed on this account. The board is of opinion that some legislation should be taken with a view of overcoming this difficulty.

Circuit judges and prosecuting attorneys have been very kind to the

board in giving their time to attend its sessions, and in aiding the board in many ways to arrive at a correct understanding of the merits of applications.

This report of proceedings and appended matter is submitted in the hope that it may aid the executive and others interested as a ready reference in relation to the applications herein considered and referred to.

All of which is respectfully submitted.

HARSEN D. SMITH,
NELSON R. GILBERT,
CHARLES L. RARDEN,
CHARLES F. BECK.

Lansing, December 1, 1894.

MEMBERS OF THE ADVISORY BOARD

IN THE MATTER OF PARDONS

HARSEN D. SMITH, President,	CASSOPOLIS.
NELSON R. GILBERT, M. D., Vice President,	WEST BAY CITY.
CHARLES F. BECK,	DETROIT.
CHARLES L. RARDEN,	GREENVILLE.
J. H. COLE, Secretary,	LAPEER.

RULES OF PROCEDURE

OF THE

ADVISORY BOARD IN THE MATTER OF PARDONS.

ADOPTED DECEMBER 20, 1898.

I. Applications for pardon may be made by convicts, or by their attorneys, relatives or friends, for them. Every application must contain or be accompanied by the following information:

1. Full name of convict, with prison number and age.
2. The crime of which he was convicted.
3. Date and term of sentence, and when his good time will expire.
4. County and court in which he was tried.
5. Names of the trial judge and prosecuting attorney.
6. Whether any former application has been made.
7. A brief history of the facts in the case, with a clear and definite statement of the grounds upon which clemency is asked.

II. Applications will not be considered until all the requirements of Rule I have been complied with, or a sufficient reason given for any omission.

III. After Rule I has been complied with, any evidence will be received and considered which tends to sustain the grounds of the application. All persons have the right and are requested to communicate to the board any material information which may be of value in determining the merits of applications.

IV. All facts relied upon to sustain any allegation as a ground for pardon, must be proved by affidavit, except such as appear from court records, or from the statements of court or prison officers.

V. If judgment was pronounced upon a plea of guilty, a certified copy of the indictment or information should be furnished.

VI. If required by notice from the board, a transcript from the stenographer's notes taken on the trial must be furnished.

VII. If required by notice from the board, a notice of the application, with the grounds upon which it is based, must be published in a newspaper printed in the county where the conviction was had.

VIII. Briefs and written arguments on behalf of applicants will be received.

IX. No application which has been acted upon by the board of pardons will be reconsidered within six months thereafter, and no application once denied, will be reconsidered unless new and material information shall appear.

X. The board shall hold regular meetings on the third Wednesday of each month, at the executive office, Lansing, beginning at 9 o'clock a. m. Special meetings of the board may be called by the president whenever in the opinion of a majority of the board it is deemed necessary. Correspondence may be had with the secretary at any time, and all applications which have been properly presented will be considered at an early date.

XI. All papers and correspondence should be addressed to J. H. Cole, secretary of the board of pardons, Lansing, Mich.

HARSEN D. SMITH,
N. R. GILBERT, M. D.,
CHABLES F. BECK,
C. L. RARDEN,

The Advisory Board in the Matter of Pardons.

[No. 150.]

AN ACT to provide for the establishment and maintenance of a pardoning board, prescribing the powers and duties, and repealing all acts and parts of acts in conflict therewith.

SECTION 1. *The People of the State of Michigan enact*, That the Governor shall appoint four suitable persons residents of the State to be called and known as "The Advisory Board in the Matter of Pardons," who shall hold their office respectively, two thereof for two years, and two for four years, as indicated by the Governor in his appointments, and all appointments thereafter made, except to fill vacancies, shall be for the period of four years; and at each biennial session of the Legislature the Governor shall appoint, by and with the advice and consent of the Senate, two members of said board. Any vacancy occurring in said board by reason of removal, or resignation, or otherwise, shall be filled by the Governor, the appointment in any case thus made to be subject to ratification or rejection by the Senate at the first regular session following such appointment.

SEC. 2. At least one member of said board shall be an attorney-at-law, and at least one member shall be a physician.

SEC. 3. Before entering upon the discharge of their duties, each member of said board shall take and subscribe before the Secretary of State, who shall file the same in his office, the constitutional oath of office. The said board shall have power to appoint a clerk, not of their number, whose duties they may prescribe and whose salary establish and determine, but not to exceed one hundred dollars per month, and not to exceed six months in any two years.

SEC. 4. The said board shall hold its sessions when and where occasion may require, having full power to send for persons and papers in the prosecution of their said work, and also have power to administer oaths; but the entire period of all the sessions of said board shall not exceed six months in any two years.

SEC. 5. The members of said board shall each receive compensation at the rate of five dollars per day while rendering their services, and each shall receive his actual and necessary expenses while employed in the duties of the board; and such salary and expenses shall be stated in account, and also the salary of the clerk of such board, under oath, and when approved by the Governor shall be paid by the State Treasurer, on the warrant of the Auditor General, out of any moneys in the treasury not otherwise appropriated.

SEC. 6. It shall be the duty of said board to investigate the cases of such convicts now or hereafter confined in the State prisons and house or houses of correction as may petition for pardon, or for a license to be at large, and to report to the Governor the results of their investigations, with such recommendations as in their judgment shall seem expedient either in respect to pardons, or commutations, or refusal of pardon or commutation. Upon receiving the result of any such examination, together with the recommendations aforesaid, the Governor may, at his discretion upon such conditions, with such restrictions and under such limitations as he may deem proper, grant the desired pardon, or commutation which warrant shall be obeyed and executed instead of the sentence originally awarded.

SEC. 7. When a convict is pardoned, or his punishment commuted, the officer to whom the warrant for that purpose is issued shall, as soon as may be after executing the same, make return thereof under his hand, with his doings thereon, to the office of the Secretary of State; and he shall also file in the clerk's office of the court in which the offender was convicted, an attested copy of the warrant and return, a brief abstract whereof the clerk shall subjoin to the record of the conviction and sentence.

SEC. 8. All acts or parts of acts contravening the provisions of this act are hereby repealed.

Approved May 31, 1893.

[Sec. 28, Act No. 118, Public Acts 1893.]

SEC. 28. The advisory board in the matter of pardons shall recommend to the Governor, from time to time, the transfer of prisoners from one prison to another, and for this purpose such advisory board shall visit each prison as often as once every three months, and if it shall appear to such board that either prison has more convicts than there are cells therein, or that there is a greater number of convicts in either one than can well be accommodated therein, or whenever in the judgment of such board the state of the health or the improvement of the convicts or any of them demand it, or where it is otherwise material that transfer should be made, said board shall report such

fact or facts fully to the Governor who is hereby empowered to transfer prisoners from one prison to the other, and who may by warrant directed to the warden of the prison from which it is decided to remove any such person, direct him to forthwith transport such prisoner to the other prison, designating him by name. And the warden to whom such warrant is directed shall at once cause such prisoner safely and securely transported and delivered with a certified copy of his sentence to the warden of the prison to which sent, and the warden of the prison to which such prisoner is sent shall receive and keep him according to the sentence as if he had been originally committed to such prison: *Provided*, That nothing in this section contained shall apply to convicts sentenced for life. The clerk of the prison at which any meeting of such advisory board is held, shall be the clerk of such board at such meeting and shall enter upon the records of such prison a full statement of all its proceedings at such meeting, and all its transactions touching transfers shall be decided by a vote of at least a majority of such board.

GOOD TIME.

(See Sec. 33, Act No. 118, Public Acts 1893.)

1- 2 years	5 days each month.
3- 4 years	6 " " "
6- 5 years	7 " " "
7- 9 years	9 " " "
10-14 years	10 " " "
15-19 years	12 " " "
Each year thereafter	15 " " "

PROCEEDINGS
OF THE
ADVISORY BOARD
IN THE MATTER OF
PARDONS

FROM NOVEMBER 29, 1893, TO NOVEMBER 29, 1894

PROCEEDINGS OF THE BOARD.

BOARD OF PARDONS,
Lansing, Wednesday, December 6, 1893. }

Pursuant to call by the Governor, the advisory board in the matter of pardons met at the executive office, at 2 o'clock p. m., and was called to order by the secretary, J. H. Cole.

Present, Hon. Harsen D. Smith, Cassopolis; Hon. Charles F. Beck, Detroit; Hon. Nelson R. Gilbert, West Bay City, and Hon. Charles L. Rarden, Greenville.

On motion of Mr. Beck,

Hon. Harsen D. Smith was unanimously elected president of the board for the ensuing year.

The president, upon assuming the chair, briefly thanked the board for the honor of presiding over its deliberations.

On motion of Mr. Beck,

Hon. Nelson R. Gilbert was unanimously chosen as vice president of the board for the ensuing year.

In order to obviate any difficulty that might arise over a seeming conflict in the statute relative to a secretary of the board,

On motion of Mr. Rarden,

J. H. Cole was chosen as secretary of the board.

On motion of Mr. Rarden,

The rules of the last board of pardons were adopted as the rules of this board, until otherwise ordered.

On motion of Mr. Rarden,

Rule X was amended so as to read as follows:

X. The board shall hold regular meetings on the third Wednesday of each month, at the executive office, Lansing, beginning at 9 o'clock a. m. Special meetings of the board may be called by the president whenever in the opinion of a majority of the board it is deemed necessary. Correspondence may be had with the secretary at any time, and all applications which have been properly presented will be considered at an early date.

The following are the rules of the board in full, as amended:

RULES OF PROCEDURE.

I. Applications for pardon may be made by convicts, or by their attorneys, relatives, or friends for them. Every application must contain or be accompanied by the following information:

1. Full name of convict, with prison number and age.
2. The crime of which he was convicted.
3. Date and term of sentence, and when his good time will expire.
4. County and court in which he was tried.
5. Names of the trial judge and prosecuting attorney.
6. Whether any former application for pardon has been made.
7. A brief history of the facts in the case, with a clear and definite statement of the grounds upon which clemency is asked.

II. Applications will not be considered until all the requirements of rule I have been complied with, or a sufficient reason given for any omission.

III. After rule I has been complied with, any evidence will be received and considered which tends to sustain the grounds of the application. All persons have the right and are requested to communicate to the board any material information which may be of value in determining the merits of applications.

IV. All facts relied upon to sustain any allegation as a ground for pardon, must be proved by affidavit, except such as appear from court records, or from the statements of court or prison officers.

V. If judgment was pronounced upon a plea of guilty, a certified copy of the indictment or information should be furnished.

VI. If required by notice from the board, a transcript of the stenographer's notes taken on the trial must be furnished.

VII. If required by notice from the board, a notice of the application, with the grounds upon which it is based, must be published in a newspaper printed in the county where the conviction was had.

VIII. No oral arguments on behalf of applicants, by attorneys or others, will be heard. Briefs and written arguments will be received.

IX. No application which has been acted upon by the board of pardons will be reconsidered within six months thereafter, and no application, once denied, will be reconsidered unless new and material information shall appear.

X. The board shall hold regular meetings on the third Wednesday of each month, at the executive office, Lansing, beginning at 9 o'clock a. m.

Special meetings of the board may be called by the president whenever in the opinion of a majority of the board it is deemed necessary. Correspondence may be had with the secretary at any time, and all applications which have been properly presented will be considered at an early date.

XI. All papers and correspondence should be addressed to the secretary of the board of pardons, Lansing, Mich.

Hon. C. A. Gower, of Lansing, appeared before the board in regard to the application of C. Lennox Petherick (file No. 1) for pardon, and made a statement of the case, but no action was taken.

After some general discussion,

On motion of Mr. Rarden,

The next regular meeting of the board was ordered at the State House of Correction and Reformatory at Ionia, on December 20, 1893.

On motion of Mr. Gilbert,

The board adjourned.

BOARD OF PARDONS,
Ionia, Wednesday, December 20, 1893.

The board met pursuant to adjournment, at the office of the warden, at the State House of Correction and Reformatory, and was called to order by the president, at 10:30 o'clock a. m.

Present, Messrs. Beck, Gilbert, Rarden and president.

On motion of Mr. Gilbert,

The journal of the previous session was approved without reading.

On motion of Mr. Rarden,

The application of Frederick Brooks (file No. 19), a convict in Ionia prison, was considered, and

On motion of Mr. Gilbert,

The pardon of Frederick Brooks was unanimously recommended.

The recommendation for pardon in the above case was submitted to the board, in writing, by Mr. Rarden, and unanimously adopted.

The recommendation is as follows:

FREDERICK BROOKS, No. 1054 (File No. 19).

In the matter of the petition for the pardon of Frederick Brooks, we respectfully submit the following report of our investigation in the premises, and a statement of the facts as we understand them, together with our opinion and recommendation thereon:

1. The said Frederick Brooks, who is a negro boy, about 15 years of age, was on the 24th day of August, 1892, in the city of Detroit, tried and convicted of the crime of sodomy, before the Hon. F. H. Chambers, associate judge of the recorder's court, and a jury, and Oscar M. Springer as assistant prosecuting attorney for Wayne county, and was sentenced for a term of ten years to the State House of Correction and Reformatory at Ionia.

2. Upon the trial of Brooks there was no proof of emission, and no proof from which it could reasonably be inferred, and the court submitted the case to the jury upon the theory that such proof was not necessary.

See testimony of Martin LaBeau, pages 3 to 15 of record, and the charge of the court, page 39 of record. See also letter of C. L. Rarden to Judge Chambers, and the answer thereto on same sheet.

3. Emission is necessary to the consummation of the offense of sodomy *People vs. Hodgkin*, 94 Mich., 27, decided December 3, 1892.

4. We find, therefore, that Brooks was illegally convicted.

5. Hon. F. H. Chambers, before whom Brooks was convicted, Oscar M. Springer, who acted for the people in the case, and Dr. Blakely, who attended the boy LaBeau, recommend that Brooks be pardoned. See petition.

6. Brooks' mother, who is a poor colored woman, and earns a living by washing, could not furnish money to defray the expense of an appeal, and the legal time for taking an appeal has expired.

7. The time of his imprisonment has already exceeded the time for which he could have been imprisoned for a simple assault.

While the disgusting nature of the crime with which this boy is charged, and his gross depravity disclosed by the evidence, are such as to place him beyond the pale of sympathy, and cause us to hesitate even in the exercise of an act of justice, it seems that it only remains for us to recommend his

pardon. We understand that in the exercise of the functions of this board we are not to be actuated so much by the sentiment of pity as by the spirit of justice, nor should prejudice, aroused by whatever cause, impel us to an act of injustice. We cannot but despise one who could be guilty of such a vile act, yet, we must not permit our indignation at such an exhibition of grossness, or our contempt for the perpetrator, to restrain us from meting out even justice to him. It is clear that Frederick Brooks, however unworthy of our sympathy he may be, was illegally convicted, and is unjustly restrained of his liberty. We therefore recommend that he be pardoned, and given his liberty at once.

All of which is respectfully submitted.

Convict John W. Grebel, No. 876 (file No. 15), appeared before the board and made a statement of his case.

The case was referred to Mr. Smith for further investigation and report.

Mr. S. M. Pearsall, of Grand Rapids, appeared before the board in behalf of convict Charles L. Johnson (file No. 24), and made a statement of the facts in the case.

Convict Andrew Anderson, No. 851 (file No. 21), appeared before the board and made a statement of his case.

Convict Walter R. Harms, No. 812 (file No. 22), appeared before the board and made a statement of his case.

The board then took a recess for dinner.

AFTERNOON SESSION.

1 o'clock P. M.

The board reconvened and was called to order by the president.

On motion of Mr. Gilbert,

Rule VIII was amended so as to read as follows:

VIII. Briefs and written arguments on behalf of applicants will be received.

By unanimous consent,

Rule XI was amended so as to read as follows:

XI. All papers and correspondence should be addressed to J. H. Cole, secretary of the board of pardons, Lansing, Mich.

Convict William Aplin, No. 516 (file No. 18), appeared before the board and made a statement of his case.

Convict Levi Hammond, No. 973 (file No. 11), appeared before the board and made a statement of his case.

Convict Ed. Hoagland, No. 1069 (file No. 23), appeared before the board and made a statement of his case.

Convict Louis Remington also appeared and made a statement in the matter of the application of Ed. Hoagland.

Convict Henry Williams, No. 1135 (file No. 13), appeared before the board and made a statement of his case.

Convict Albert Gordon also appeared and made a statement in the matter of the application of Henry Williams.

Convict John Kreiling, No. 891 (file No. 12), appeared before the board and made a statement of his case.

Convict Gustus R. Garlow, No. 958 (file No. 17), appeared before the board and made a statement of his case.

Hon. C. A. Gower, of Lansing, again appeared before the board, and made a further statement in the matter of the application of C. Lennox Petherick (file No. 1), for pardon. No action was taken.

Convict John M. DeWitt, No. 1118 (file No. 3), appeared before the board and made a statement of his case.

Convict Edward Noetling, No. 1221 (file No. 9), appeared before the board and made a statement of his case.

Convict William Loree, No. 1245 (file No. 10), appeared before the board and made a statement of his case.

On motion of Mr. Rarden,

The board adjourned.

BOARD OF PARDONS,
Lansing, Wednesday, January 17, 1894. }

The regular session of the board at the executive office was called to order by the president at 11 o'clock a. m.

Present, Messrs. Beck, Gilbert, Rarden and president.

Journal of previous session approved without reading.

Judge Vernon H. Smith, of Ionia, and Hon. John H. Fedewa, of St. Johns, appeared before the board in behalf of convict Thomas Foley (file No. 63), and made statements in regard to the case.

A recess was then taken until 2 o'clock p. m.

AFTERNOON SESSION.

2 o'clock P. M.

The board reconvened at 2 o'clock p. m., and was called to order by the president.

Kate E. Foley, of St. Johns, and John H. Stephenson, of Lansing, appeared before the board in behalf of Thomas Foley (file No. 63).

W. H. Frankhauser, of Hillsdale, appeared before the board and made an oral argument in the matter of the application of Levi Bowersox (file No. 90) for pardon. Jason E. Hammond, of Lansing, deputy superintendent of public instruction, also made a statement in the above case.

On motion of Mr. Rarden,

The application of C. Lennox Petherick (file No. 1), a convict in Ionia prison, was denied.

Yeas—Messrs. Beck, Gilbert, Rarden and president, 4.

Nays—0.

The case was referred to Mr. Gilbert to submit an adverse report thereon.

On motion of Mr. Rarden,

The application of Levi Hammond (file No. 11), a convict in Ionia prison, was denied.

Yeas—Messrs. Beck, Gilbert, Rarden and president, 4.

Nays—0.

The opinion in the above case was submitted to the board, in writing, by Mr. Rarden, and unanimously adopted.

The opinion is as follows:

LEVI HAMMOND, No. 973 (File No. 11).

In the matter of the petition for the pardon of Levi Hammond, we respectfully submit the following report of facts and circumstances, and our opinion thereon:

1. The said Levi Hammond, who is a man about 26 years of age, was on the 9th day of April, 1892, at the city of Muskegon, in the county of Muskegon, at the April term of court for that county, tried and convicted of the crime of burglary, before Hon. Albert Dickerman, circuit judge, and a jury, and Willard J. Turner, prosecuting attorney for said county, and sentenced for the term of two and a half years to the State House of Correction and Reformatory at Ionia.

2. Hammond claims that he was not guilty of the crime for which he was convicted, and that his attorney neglected his case, and that he was forced to trial before he was prepared for it. He says that the guns which he is charged with having stolen from a store were bought by him and one George Wakefield of two men, who came by their house near Stetson, in Oceana county, 22 miles from the store. Hammond was sworn on the trial of the case, but Wakefield was not, although he was impleaded with Hammond. Hammond informed the board that Wakefield would at any time swear that they bought the guns as already stated.

3. The petition is signed by all the county officers of Oceana county and by the following persons of Muskegon and Muskegon county, viz.: Peter W. Losby, acting police judge; William H. Smith, sheriff; Willard J. Turner, prosecuting attorney; William McLaughlin, city assessor; Frank Vervia, alderman; R. J. McDonald, attorney-at-law; Dar Luther, official stenographer; Jerome E. Turner, attorney-at-law; Chas. S. Marr, attorney-at-law; and James Snow, attorney-at-law. Judge Dickerman says that he would not have been surprised if Hammond had been acquitted, but that he had a fair trial; but he says he would not object to a commutation of the sentence if the board think it advisable, because of the condition of Hammond's mother and the effect upon her.

4. One of our members upon going to Muskegon and conferring with the officers finds that they have no doubt of the guilt of Hammond, and only signed the petition because of their sympathy for his mother, and that the man Wakefield was impleaded with Hammond, and upon being let to bail absconded and was not present at Hammond's trial, and it is generally believed by those who are familiar with the case that Wakefield participated in this burglary, therefore whatever he might say about this matter could hardly be relied upon.

5. Hammond bears a bad reputation in the community where he lives, and is generally regarded as a man of questionable character.

6. While it may be true as stated that Hammond's mother is sick and worries over the imprisonment of her son, and is liable to be injured thereby, yet this is but one of the ordinary accompaniments of crime. It is scarcely ever the criminal alone who must suffer the results of his crime.

While the sympathy for the mother which actuated those who signed this petition appeals to us as well, yet it does not follow that it would be wise or just to be governed by it, nor that we should attempt to set aside the verdict of the jury or the sentence of the court in this case.

7. We do not think this is such a case as demands the favorable exercise of the kindly power vested in the Governor, and we therefore recommend that the prayer of the petitioner be not granted.

All of which is respectfully submitted.

On motion of Mr. Beck,

The sentence of Henry Williams (file No. 13), a convict in Ionia prison, was recommended to be commuted so as to expire March 1, 1894.

Yeas—Messrs. Beck, Gilbert, Rarden and president, 4.

Nays—0.

The case was referred to Mr. Smith to submit a report thereon in accordance with the action of the board.

On motion of Mr. Rarden,

The sentence of Gustus R. Garlow (file No. 17), a convict in Ionia prison, was recommended to be commuted so as to expire on March 1, 1894.

Yeas—Messrs. Beck, Gilbert, Rarden and president, 4.

Nays—0.

The recommendation in the above case was submitted to the board, in writing, by Mr. Rarden, and unanimously adopted.

The recommendation is as follows:

GUSTUS R. GARLOW, No. 958 (File No. 17).

In the matter of the petition for the pardon of Gustus R. Garlow, we respectfully submit the following report of our investigation in the premises and a statement of the facts as we understand them, together with our opinion and recommendation thereon:

1. Robert Garlow, otherwise Gustus R. Garlow, who is now 40 years of age, was on the 19th day of March, 1892, in the city of Stanton, Montcalm county, tried and convicted of the crime of assault with intent to do great bodily harm less than the crime of murder, before Hon. Vernon H. Smith, circuit judge, and a jury, and Frank A. Miller, as prosecuting attorney for said county, and was sentenced for the term of two years and six months to the State House of Correction and Reformatory at Ionia.

2. Through a member of our board, to whom the matter of this petition was referred for special investigation, and who was present at the trial of Garlow, and has visited and conferred with a large number of the most influential citizens whose names appear upon the petition and who are familiar with the circumstances of the crime charged, we learn that the offense was committed under great provocation and in a quarrel instigated by Thompson, the man upon whom the assault was made, and who was somewhat intoxicated at the time, as was also Garlow. Thompson is a large, powerful man, and ugly and quarrelsome, especially when intoxicated. While it is clear that Garlow is technically guilty of an assault, the circumstances make it difficult to believe that he intended to inflict any great bodily injury upon Thompson, but the jury having found this intent it only remained for the court to impose such punishment as he deemed just and reasonable. But Judge Smith, having since the conviction and

sentence of Garlow inquired into the circumstances of the crime, recommends that he be discharged at the expiration of a year and six months from the date of his sentence. See letter of Judge Smith, attached to petition.

3. Fifty-three citizens of the immediate vicinity of the place where the crime was committed, including all of the most respected men in the community, have signed Garlow's petition, and upon visiting and conferring with a large number of them, they are found to have done so with a full knowledge of its purpose, and they universally say that Garlow was a good citizen and seldom drank liquor to excess, and they believe of his pledge of total abstinence in the future, and earnestly insist that he has been punished more than enough.

4. All of the officers of the county of Montcalm at the time of the trial, including the prosecuting attorney who tried the case, recommend either that Garlow be pardoned or his sentence be commuted, and several of them have known him for years, and are earnest in the belief that he is worthy of clemency.

5. The following named attorneys of Montcalm county, who were present at the trial, join in the recommendation that Garlow's sentence be commuted to one year, viz.: Hon. C. C. Ellsworth, Hon. N. O. Griswold, M. C. Palmer, C. Ellis Elliott, W. S. Whittlesey, and L. A. Lyon.

6. The prison record of Garlow has been in the highest degree exemplary. See letter of the prison chaplain.

Whatever doubt we might have of the justice of the conviction of this or any other man, it hardly seems our province to ignore or attempt to set aside the verdict of a jury, unless facts not produced on the trial are presented, which convince us that the man is innocent of the crime charged. But, even though Garlow was justly convicted, yet in view of all the circumstances, and Garlow's previous and prison record, we believe that in his case the ends of justice have been met, and whether we regard his imprisonment for the purpose of punishment or for his reformation, or both, we are convinced that the law and justice have been vindicated, and that clemency now will appeal to the best impulses of his manhood and teach him the additional lesson that the law is not vindictive. Garlow's term of imprisonment, less his good time, will expire in April, 1894, which seems but a short time to one not restrained of his liberty, but if he in justice ought to have been liberated at the expiration of one year and six months, as Judge Smith suggests, then every day that he is withheld in prison is in reality an injustice to him. We therefore recommend that his sentence be commuted so as to expire March 1, 1894.

All of which is respectfully submitted.

On motion of Mr. Rarden,

The application of Andrew Anderson (file No. 21), a convict in Ionia prison, was denied.

The opinion in the above case was submitted to the board, in writing, by Mr. Rarden, and unanimously adopted.

The opinion is as follows:

ANDREW ANDERSON, No. 851 (File No. 21).

In the matter of the petition for the pardon of Andrew Anderson, we respectfully submit the following report of our investigation in the premises, and a statement of the facts as we understand them, together with our opinion and recommendation thereon:

1. Andrew Anderson, who is a man about 40 years of age, was on the 9th day of December, 1891, in the city of Stanton, county of Montcalm, tried and convicted of the crime of burglary, before Hon. Vernon H. Smith, judge of the eighth judicial circuit, and a jury, and Frank A. Miller, as prosecuting attorney for said county, and was sentenced for the term of three years to the State House of Correction and Reformatory at Ionia.

2. Through a member of our board, to whom the matter of this petition was referred for special investigation, and who has personally visited and conferred with the Rev. Ole Amble and others who signed Anderson's petition, we learn and on information and belief say that the petition was largely signed without a full consideration of its purposes, and in fact the Rev. Ole Amble now asks to withdraw his name from the same.

3. From such investigation we understand that Anderson has for years been regarded as an habitual thief by those who have known him well, and he is represented as a man of the worst character.

4. It seems to be well established that Anderson committed the crime of perjury in the effort to convict another man of the crime for the conviction of which Anderson is now undergoing punishment.

5. We understand that while Anderson was in the county jail at Stanton awaiting trial for the offense of which he was convicted he professed to be very penitent, reading the bible and praying almost continuously, thus so far winning the confidence of the officials that they gave him such liberties that he was enabled to and did escape, and he fled to Wisconsin, from whence he was finally brought back at great expense.

6. We learn that he now professes to be penitent and a devout Christian, but while we sincerely hope that this may be true, our knowledge of his past record and character impel us to doubt his sincerity and professed reformation.

Therefore, in consideration of the premises, and believing that this is not a proper case for the exercise of the kindly power vested in his excellency, we recommend that the prayer of the petitioner be not granted.

All of which is respectfully submitted.

On motion of Mr. Beck,

The application of Ed Hoagland (file No. 23), a convict in Ionia prison, was denied.

Yeas—Messrs. Beck, Gilbert, Rarden and president, 4.

Nays—0.

The case was referred to Mr. Beck to submit an adverse report thereon.

On motion of Mr. Beck,

The board adjourned to met at Jackson prison, on Tuesday, January 23, 1894, at 10 o'clock a. m.

BOARD OF PARDONS,
Jackson, Tuesday, January 23, 1894. }

The board convened in special session at Jackson prison, pursuant to adjournment, and was called to order by the president at 10 o'clock a. m. Present, Messrs. Beck, Gilbert, Rarden and president. Journal of previous session approved without reading.

Convict Charles L. Johnson, No. 4442 (file No. 24), appeared before the board and made a statement of his case.

Convict Charles Scamerhorn, No. 3111 (file No. 25), appeared before the board and made a statement of his case.

Convict William J. Carveth, No. 3776 (file No. 59), appeared before the board and made a statement of his case.

Judge Clement Smith, of Hastings, appeared before the board and made an oral argument in behalf of convict William J. Carveth.

A recess was then taken until 2 o'clock p. m.

AFTERNOON SESSION.

2 o'clock P. M.

The board was called to order by the president at 2 o'clock p. m.

Convict Frederick Haar, No. 4518 (file No. 91), appeared before the board and made a statement of his case.

Convict Frank J. Raymond, No. 5184 (file No. 40), appeared before the board and made a statement of his case.

Convict Marcellus Robinson, No. 5642 (file No. 47), appeared before the board and made a statement of his case.

Convict Thomas Foley, No. 3713 (file No. 63), appeared before the board and made a statement of his case.

Convict John H. Thomas, No. 626 (file No. 46), appeared before the board and made a statement of his case.

Convict James Leathers, No. 2725 (file No. 26), appeared before the board and made a statement of his case.

Convict Charles W. Allen, No. 4036 (file No. 27), appeared before the board and made a statement of his case.

Convict Albert Ten Elshof, No. 5146 (file No. 28), appeared before the board and made a statement of his case.

Convict Calvin Hewitt, No. 4509 (file No. 29), appeared before the board and made a statement of his case.

The opinion in the case of C. Lennox Petherick (file No. 1), was presented to the board, in writing, by Mr. Gilbert and unanimously adopted.

The opinion is as follows:

C. LENNOX PETHERICK, No. 810 (File No. 1).

The members of the advisory board in the matter of pardons have had the matter of the application of C. Lennox Petherick for pardon under consideration, and herewith submit their report thereon, as follows:

Said Petherick is confined in the prison at Ionia for the term of three years. He was sentenced November 5, 1891. His term will expire November 5, 1894. His crime was embezzlement. The credit to which he would be entitled on account of good behavior would reduce this sentence so that the same would expire some time in April, 1894.

Upon investigation we find that he embezzled a large sum of money, to wit, about \$1,100. We also find that Petherick admits that he was guilty as charged. He also admits that his sentence is not unreasonable or exces-

sive. He bases his claim for pardon upon good behavior, and also for the further reason that he has since his imprisonment perfected a certain insurance table, which he has copyrighted, and he claims that if he is liberated at once he can associate himself with a company which would pay him a large sum for his insurance table. He says \$5,000.

In view of the fact that the only reason urged for a pardon is that it would be of pecuniary benefit to the prisoner, the board, after a careful consideration, have unanimously decided that to establish a precedent by granting a pardon to persons convicted of crime simply because it might benefit them pecuniarily would tend to invite similar excuses in all matters of pardon which might come to this board, and would be a dangerous element to be seriously considered. The board, therefore, unanimously refuse to recommend a pardon.

All of which is respectfully submitted.

The recommendation for commutation of sentence in the case of Henry Williams (file No. 13), was presented to the board, in writing, by Mr. Smith and unanimously adopted.

The recommendation is as follows:

HENRY WILLIAMS, No. 1135 (File No. 13).

We have the honor to report that we have carefully investigated the application of Henry Williams, a convict in the Ionia prison, under a three years' sentence for burglary, imposed by the superior court of Grand Rapids, December 13, 1892.

The applicant is a bright young man, about 23 years of age, formerly a resident of Detroit, where he has occupied positions of responsibility and trust, and has been regarded by those who knew him as a reputable young man. It is claimed that he in company with two other young men, John Courtney and Albert Gordon by name, removed a light of glass from the front window of a saloon in Grand Rapids and stole therefrom a bottle of wine, on the evening of November 13, 1892. Upon being arrested Courtney and Gordon admitted their guilt, and when they were arraigned shortly afterwards pleaded guilty to the charge, the first for one year and the second for three years. Williams pleaded not guilty, and was tried and convicted December 13, 1892. The bottle of wine was found with Courtney, and the only testimony connecting Williams with the crime was the testimony of two policemen who were in the saloon at the time the wine was taken, who claimed to identify him as one of the parties to the larceny. Both Courtney and Gordon have insisted from the beginning that Williams was not with them at the saloon, and was in no way implicated in the crime.

From the position occupied by the policemen in the saloon we think their opportunity to recognize persons in front of the window on the sidewalk on the evening in question could not have been very favorable, and after a full investigation we are strongly impressed individually with the entire innocence of Williams, but the question of his guilt having been passed upon by a jury, we are not disposed to base any recommendation upon the incorrectness of the verdict. We are, however, satisfied from our investigation that if Williams be guilty that it is his first criminal offense, and that he has been sufficiently punished for his crime. He is evidently a young man who does not belong to the criminal class, nor inclined to

crime by instinct. He is well connected and has an opportunity of receiving honorable employment upon his release, and in our opinion he is in no way a dangerous man to return to society. His conduct while in prison has been such as to gain for him the good report of the officers of the prison.

A member of the board who was designated for that purpose has had a personal interview with the judge who passed sentence upon Williams, as well as with the prosecuting attorney who prosecuted the case, and they both agree with us that the case is one in which executive clemency can be exercised without detriment to society or the injury of the convict, and believing as we do that justice will be fully served by such a course, we would respectfully recommend that the term of Williams' imprisonment be commuted so that his sentence will expire March 1, 1894.

All of which is respectfully submitted.

On motion of Mr. Rarden,

The board adjourned to meet tomorrow morning at 9 o'clock a. m., at the prison.

BOARD OF PARDONS,
Jackson, Wednesday, January 24, 1894. }

The board met pursuant to adjournment, and was called to order by the president.

Present, Messrs. Beck, Gilbert, Rarden and president.

Journal of previous session approved without reading.

Convict Frank Emery, No. 2529 (file No. 32), appeared before the board and made a statement of his case.

Convict William A. Danforth, No. 4103 (file No. 31), appeared before the board and made a statement of his case.

Convict Joseph Foederer, No. 3263 (file No. 33), appeared before the board and made a statement of his case.

Convict James E. Lawson, No. 3225 (file No. 34), appeared before the board and made a statement of his case.

Convict John Hiram Smith, No. 5207 (file No. 35), appeared before the board and made a statement of his case.

A recess was then taken until 2 o'clock p. m.

AFTERNOON SESSION.

2 o'clock P. M.

The board reconvened and was called to order by the president.

Convict Sylvanus M. Daniels, No. 4304 (file No. 36), appeared before the board and made a statement of his case.

Convict Moses C. Tucker, No. 4854 (file No. 37), appeared before the board and made a statement of his case.

Convict Eugene H. Wood, No. 4484 (file No. 38), appeared before the board and made a statement of his case.

Convict Ignatius Zawatzki, No. 4658 (file No. 39), appeared before the board and made a statement of his case.

Convict Franklin W. Bickford, No. 5334 (file No. 41), appeared before the board and made a statement of his case.

Convict William Fuller, No. 4666 (file No. 42), appeared before the board and made a statement of his case.

Convict Peter Hansen, No. 5460 (file No. 43), appeared before the board and made a statement of his case.

Convict Charles May, No. 5322 (file No. 44), appeared before the board and made a statement of his case.

Convict Myron Delano, No. 5052 (file No. 45), appeared before the board and made a statement of his case.

Convict Frank Campbell, No. 4883 (file No. 48), appeared before the board and made a statement of his case.

On motion of Mr. Gilbert,

In the absence of the secretary, Mr. Rarden was designated to prepare a journal of the proceedings of this session and forward to the secretary.

On motion of Mr. Rarden,

The application of James E. Lawson (file No. 34) a convict in Jackson prison, was denied.

Yeas—Messrs. Beck, Gilbert, Rarden and president, 4.

Nays—0.

The case was referred to Mr. Rarden to prepare and submit an adverse report thereon.

On motion of Mr. Beck,

The board adjourned to meet at Jackson prison on Friday, February 2, 1894, at 9 o'clock a. m.

BOARD OF PARDONS,
Jackson, Friday, February 2, 1894. }

The board met at the prison on the above date, and was called to order by the president at 10 o'clock a. m.

Present, Messrs. Beck, Gilbert, Rarden and president.

Journal of previous session approved without reading.

Hon. Milo D. Campbell, of Coldwater, appeared before the board and made an oral argument in behalf of convict Marcellus Robinson (file No. 47).

Convict John St. John, No. 4833 (file No. 49) appeared before the board and made a statement of his case.

Convict William McLane, No. 4532 (file No. 50), appeared before the board and made a statement of his case.

Convict James B. Daget, No. 61 (file No. 51), appeared before the board and made a statement of his case.

Convict Louis E. Anthony, No. 4172 (file No. 52), appeared before the board and made a statement of his case.

Hon. Fred A. Maynard, of Grand Rapids, appeared before the board and made an oral argument in behalf of convict Louis E. Anthony. Mrs. Annie B. Elmslie also appeared for convict Anthony.

The board then took a recess until 2 o'clock p. m.

AFTERNOON SESSION.

2 o'clock P. M.

The board reconvened and was called to order by the president.

Convict Michael K. Mills, No. 5323 (file No. 53), appeared before the board and made a statement of his case.

Convict Charles Smith, No. 5283 (file No. 54), appeared before the board and made a statement of his case.

Hon. John C. Sharp, of Jackson, appeared before the board and made an oral argument in behalf of convict Frank J. Raymond (file No. 40).

Convict Duane Chapman, No. 1960 (file No. 55), appeared before the board and made a statement of his case.

Convict Orlando Perry, No. 5484 (file No. 56), appeared before the board and made a statement of his case.

Convict James H. Harris, No. 4877 (file No. 57), appeared before the board and made a statement of his case.

Convict Theron W. Graham, No. 5200 (file No. 58), appeared before the board and made a statement of his case.

Convict Charles O. Seaman, No. 4411 (file No. 61), appeared before the board and made a statement of his case.

Convict Isaiah Haight, No. 5045 (file No. 60,) appeared before the board and made a statement of his case.

Convict Thomas Kinney, No. 3048 (file No. 62), appeared before the board and made a statement of his case.

Convict Louis Fineberg, No. 5459 (file No. 64), appeared before the board and made a statement of his case.

Convict Seth Aiken, No. 4944 (file No. 65), appeared before the board and made a statement of his case.

Convict Levi Bowersox, No. 5284 (file No. 90), appeared before the board and made a statement of his case.

On motion of Mr. Rarden,

The board adjourned until tomorrow at 9 o'clock a. m.

BOARD OF PARDONS,
Jackson, Saturday, February 3, 1894. }

The board convened pursuant to adjournment and was called to order by the president.

Present, Messrs. Beck, Gilbert, Rarden and president.

In the absence of the secretary,

Mr. Rarden was designated to act as secretary pro tempore.

Journal of previous session approved without reading.

Convict Joseph Duquette, No. 7 (file No. 66), appeared before the board and made a statement of his case.

Convict Orrin Pearl, No. 5529 (file No. 68), appeared before the board and made a statement of his case.

Convict Charles I. Wright, No. 4789 (file No. 70), appeared before the board and made a statement of his case.

Convict Charles W. Waterman, No. 5154 (file No. 71), appeared before the board and made a statement of his case.

Convict George Wilson, No. 5583 (file No. 73), appeared before the board and made a statement of his case.

Convict Aldis Snyder, No. 5420 (file No. 74), appeared before the board and made a statement of his case.

Convict Armados Lamie, No. 3898 (file No. 75), appeared before the board and made a statement of his case.

Convict William E. Steins, No. 3416 (file No. 76), appeared before the board and made a statement of his case.

Convict John M. Higgins, No. 4256 (file No. 77), appeared before the board and made a statement of his case.

Convict William K. Barker, No. 3651 (file No. 78), appeared before the board and made a statement of his case.

The board then took a recess until 2 o'clock p. m.

AFTERNOON SESSION.

2 o'clock P. M.

The board met and was called to order by the president.

Rudolph Worch, of Jackson, appeared before the board and made an oral argument in behalf of convict Jacob Katterman (file No. 96).

Convict Robert Spencer, No. 4434 (file No. 92), appeared before the board and made a statement of his case.

Convict Richard E. Mudge, No. 5660 (file No. 93), appeared before the board and made a statement of his case.

On motion of Mr. Rarden,

The application of Frank J. Raymond (file No. 40), for pardon was granted.

Yeas—Messrs. Beck, Gilbert, Rarden and president, 4.

Nays—0.

The case was referred to Mr. Gilbert to submit a report thereon as to the physical condition of the applicant.

On motion of Mr. Beck,

The board adjourned to meet at Marquette prison on Monday, February 12, 1894, at 9 o'clock a. m.

BOARD OF PARDONS,
Marquette, Monday, February 12, 1894. }

The board met at the office of the warden of the upper peninsula prison on the above date, and was called to order by the president at 9 o'clock a. m.

Present, Messrs. Beck, Gilbert, Rarden and president.

Journal of previous session approved without reading.

Convict Annie Sophia Anderson, No. 370 (file No. 81), appeared before the board and made a statement of her case.

Convict Charles H. Elliott, No. 212 (file No. 80), appeared before the board and made a statement of his case.

Convict John McDonald, No. 71 (file No. 79), appeared before the board and made a statement of his case.

Hon. Egbert J. Mapes, of Marquette, appeared before the board and made an oral argument in behalf of convict John McDonald.

Convict George W. Blake, No. 259 (file No. 82), appeared before the board and made a statement of his case.

Convict Joseph Sabourin, No. 485 (file No. 83), appeared before the board and made a statement of his case.

Convict Oscar Strand, No. 108 (file No. 84), appeared before the board and made a statement of his case.

Convict James Harcourt, No. 313 (file No. 89), appeared before the board and made a statement of his case.

The recommendation in the case of Frank J. Raymond (file No. 40), was presented to the board, in writing, by Mr. Gilbert and unanimously adopted.

The recommendation is as follows:

FRANK J. RAYMOND, No. 5184 (File No. 40).

At the request of the other members of the advisory board of pardons, I have made a careful physical examination of Frank J. Raymond, No. 5184, convicted of the crime of larceny from the person, on the 16th day of November, 1891, and sentenced to five years in State prison. The examination was made with a view to ascertain as to whether he, the said Frank J. Raymond, was suffering with pulmonary phthisis (consumption).

Before the examination the board had before it a report from Dr. W. H. Gibson, prison physician, in which he says that "he finds increased vacicular murmur over the entire portion of both lungs except a portion of left lung two inches above left nipple, and two inches to the right where the murmur is much diminished. There is dullness on percussion at this point. His chest is narrow, with very imperfect expansion. Chest flat, with depression in center. He is emaciated, and feeble respiration, expectorates mucus and pus. This man has consumption and is incurable." On my first examination I verified all these symptoms, and they were concurred in by all the members of the board, so far as a non-professional could judge. I subsequently made a more careful examination, at the suggestion of the members of the board, one week later, and found in addition that the upper part of lung is fallen in so much that the clavicle seems very prominent on inspection, and the deficient expansion and diminished size on mensuration are far more noticeable than on my first visit. The respiration is bronchial and rapid, forty to the minute. Temperature, 103.4. Pulse, 140. I am satisfied that the man has consumption bordering on the third stage, and that he will live but a few months at the most.

N. R. GILBERT.

The undersigned members of the advisory board of pardons concur in the foregoing report, and recommend that the prisoner named therein, Frank J. Raymond, be pardoned. We have not taken into consideration the crime for which the prisoner was convicted, or his sentence therefor.

**CHAS. L. RARDEN,
HARSEN D. SMITH,
CHARLES F. BECK.**

On motion of Mr. Beck,

The board adjourned to meet at the Hotel Cadillac, Detroit, on Wednesday, February 21, 1894, at 3 o'clock p. m.

BOARD OF PARDONS,
Detroit, Wednesday, February 21, 1884. }

The board met at room N, Hotel Cadillac, on the above date, and was called to order by the president at 3 o'clock p. m.

Present, Messrs. Beck, Gilbert, and president.

Journal of previous session approved without reading.

Hon. William Look, of Detroit, appeared before the board and made oral statements in the cases of Peter J. Schulte (file No. 85) and Henry Grandahl (file No. 95).

Sergeants Eugene Sullivan, James McDonald, and Mack, of the Detroit police force, appeared before the board and made statements in several cases.

Hon. George Gartner, of Detroit, appeared before the board and made an oral argument in the case of convict John M. Higgins (file No. 77).

Hon. Joseph M. Weiss and Alton R. Warren, of Detroit, appeared before the board in behalf of convict Charles O. Seaman (file No. 61).

On motion of Mr. Gilbert,

The board adjourned to meet at the Detroit House of Correction tomorrow at 11 o'clock a. m.

BOARD OF PARDONS,
Detroit, Thursday, February 22, 1894. }

The board convened pursuant to adjournment, at the parlors of the Detroit House of Correction, and was called to order by the president at 11 o'clock a. m.

Present, Messrs. Beck, Gilbert and president.

Journal of previous session approved without reading.

Convict Peter J. Schulte (file No. 85), appeared before the board and made a statement of his case.

Convict Henry Grandahl (file No. 95), appeared before the board and made a statement of his case.

On motion of Mr. Beck,

The board adjourned.

BOARD OF PARDONS,
Lansing, Wednesday, March 21, 1894. }

The board convened at the executive office on the above date and was called to order by the president at 10 o'clock a. m.

Present, Messrs. Beck, Gilbert, Rarden and president.

Journal of previous session approved without reading.

Hon. D. D. Aitken, of Flint, appeared before the board and made an oral argument in behalf of convict Fred Foote (file No. 117).

On motion of Mr. Gilbert,

The application of John Kreiling (file No. 12), a convict in Ionia prison, was denied.

Yeas—Messrs. Beck, Gilbert, Rarden and president, 4.

Nays—0.

The opinion in the above case was submitted to the board, in writing, by Mr. Rarden, and unanimously adopted.

The opinion is as follows:

JOHN KREILING, No. 891 (File No. 12).

In the matter of the petition for the pardon of John Kreiling, we respectfully submit the following report of facts and circumstances, and our recommendation thereon:

1. The petitioner was on the 21st day of December, 1891, at the city of Muskegon, in the county of Muskegon, tried and convicted of the crime of assault with intent to murder, before Hon. Albert Dickerman, circuit judge, and a jury, and Willard J. Turner, prosecuting attorney of said county, and was sentenced for the term of three and one-half years to the House of Correction and Reformatory at Ionia, Michigan.

2. There is no regular petition on file in this case, but the files consist of a large number of letters and other papers, from which little information can be gained. We gather, however, from these papers and the petitioner's statement before the board that he claims to be the victim of a conspiracy, and is not guilty of the crime of which he was convicted. He seems to have gained the confidence and sympathy of those around him at the prison, and from his statement before the board and that of the chaplain we were inclined at first to believe that injustice had been done him, but upon visiting Muskegon and conferring with the prosecuting attorney, sheriff, and others connected with the prosecution of Kreiling, we became convinced that there is no reason in this case for the interposition of this board. We learned that at the time of the assault upon August Linderman, Kreiling was living with Linderman's wife at the house which Linderman claimed to be his property, but of which Kreiling claimed to have obtained the title. It seems that the wife had deserted the husband, or driven him away, and taken Kreiling instead, and they not only held Linderman's house against him, but his household goods as well, and this was the scene of the assault, which seems to have been participated in by the wife. Linderman is a very small, inoffensive man, and not very bright.

It is stated by those who have known Kreiling for years that he is a vicious, quarrelsome fellow, and has frequently been in trouble, growing out of quarrels instigated by his violence.

3. The case seems to have been fairly submitted to the jury, and he was convicted and the sentence is not excessive.

4. In such a case, unless there is conclusive proof produced that the man is not guilty of the crime of which he was convicted, or it clearly appears from all the circumstances that the sentence was excessive, it does not seem to us that it is our province to meddle with it.

5. We therefore recommend that the prayer of the petitioner be not granted.

All of which is respectfully submitted.

S. M. Pearsall, of Grand Rapids, again appeared before the board in behalf of convict Charles L. Johnson (file No. 24), and made a further statement in the case.

On motion of Mr. Beck,

The application of William A. Danforth (file No. 31), a convict in Jackson prison, was denied.

Yeas—Messrs. Beck, Gilbert, Rarden and president, 4.

Nays—0.

The case was referred to Mr. Rarden to submit an adverse report thereon.

On motion of Mr. Gilbert,

The application of Frank Emery (file No. 32), a convict in Jackson prison, was denied.

Yeas—Messrs. Beck, Rarden, Gilbert and president, 4.

Nays—0.

The case was referred to Mr. Gilbert to submit an adverse report thereon.

The board then took a recess until 2 o'clock p. m.

AFTERNOON SESSION.

2 o'clock P. M.

The board convened and was called to order by the president at 2 o'clock p. m.

Hon. John E. Foley, of Marshall, appeared before the board in the case of Marcellus Robinson (file No. 47), and made an oral argument in opposition to granting a pardon. He also made a statement in the matter of the application of Charles May (file No. 44).

On motion of Mr. Beck,

The application of Franklin W. Bickford (file No. 41), was unanimously denied.

The case was referred to the secretary to submit an adverse report thereon.

On motion of Mr. Rarden,

The application of Louis E. Anthony (file No. 52), a convict in Jackson prison, was denied.

Yeas—Messrs. Beck, Gilbert and Rarden, 3.

Nays—0.

Not voting—Mr. Smith, 1.

The case was referred to Mr. Rarden to submit an adverse report thereon.

On motion of Mr. Beck,

The application of Charles Smith (file No. 54), a convict in Jackson prison, was denied.

Yeas—Messrs. Beck, Gilbert, Rarden and president, 4.

Nays—0.

The case was referred to Mr. Beck to submit an adverse report thereon.

On motion of Mr. Beck,

The board recommended that the sentence of Henry Grandahl (file No.

95), a convict in the Detroit House of Correction, be commuted so as to expire May 1, 1894.

Yeas—Messrs. Beck, Gilbert, Rarden and president, 4.

Nays—0.

The case was referred to Mr. Gilbert to submit a recommendation thereon.

On motion of Mr. Gilbert,

The application of George Wilson (file No. 73), a convict in Jackson prison, was denied.

Yeas—Messrs. Beck, Gilbert, Rarden and president, 4.

Nays—0.

The case was referred to Mr. Beck to submit an adverse report thereon.

On motion of Mr. Gilbert,

The application of John M. Higgins (file No. 77), a convict in Jackson prison, was denied.

Yeas—Messrs. Beck, Gilbert, Rarden and president.

Nays—0.

The case was referred to Mr. Rarden to submit an adverse report thereon.

On motion of Mr. Rarden,

The board adjourned until tomorrow morning at 9 o'clock a. m.

BOARD OF PARDONS,
Lansing, Thursday, March 22, 1894. }

The board convened pursuant to adjournment and was called to order by the president.

Present, Messrs. Beck, Rarden and president.

Journal of previous session approved without reading.

On motion of Mr. Rarden,

The application of Charles H. Elliott (file No. 80), a convict in Marquette prison, was unanimously denied by acclamation.

The case was referred to the secretary to submit an adverse report thereon.

On motion of Mr. Beck,

The application of George W. Blake (file No. 82), a convict in Marquette prison, was unanimously denied by acclamation.

The case was referred to the secretary to submit an adverse report thereon.

On motion of Mr. Beck,

The application of Joseph Sabourin (file No. 83), a convict in Marquette prison, was unanimously denied by acclamation.

The case was referred to the secretary to submit an adverse report thereon.

On motion of Mr. Beck,

The application of Peter J. Schulte (file No. 85), a convict in Detroit House of Correction, was unanimously denied by acclamation.

The case was referred to Mr. Beck to submit an adverse report thereon.

On motion of Mr. Rarden,

The board adjourned to meet at the State House of Correction and Reformatory at Ionia on Wednesday, April 4, 1894, at 9 o'clock a. m.

BOARD OF PARDONS,
Ionia, Wednesday, April 4, 1894. }

The board convened at the office of the warden, at the State House of Correction and Reformatory, and was called to order by the president at 9 o'clock a. m.

Present, Messrs. Beck, Rarden and president.

Journal of previous session approved without reading.

Convict Frank E. Bigler, No. 1284 (file No. 96), appeared before the board and made a statement of his case.

Convict Frank E. Parrish, No. 977 (file No. 97,) appeared before the board and made a statement of his case.

Convict Peter Cuneveaux, No. 1275 (file No. 98), appeared before the board and made a statement of his case.

Convict Benjamin G. Ehle, No. 1362 (file No. 99), appeared before the board and made a statement of his case.

Convict Harry Cameron, No. 1213 (file No. 100), appeared before the board and made a statement of his case.

Convict William McGlinsey, No. 1106 (file No. 101), appeared before the board and made a statement of his case.

Convict Frank Searles, No. 1107 (file No. 102), appeared before the board and made a statement of his case.

Convict William Trombly, No. 1222 (file No. 103), appeared before the board and made a statement of his case.

Convict Henri Clough, No. 627 (file No. 104), appeared before the board and made a statement of his case.

Convict David E. Davis, No. 1399 (file No. 115), appeared before the board and made a statement of his case.

Convict Henry Knickerbocker, No. 1470 (file No. 116), appeared before the board and made a statement of his case.

Convict John Jansen, No. 871 (file No. 5), appeared before the board and made a statement of his case.

Convict William Loree, No. 1245 (file No. 10), appeared before the board and made a statement of his case.

The board then took a recess until 1 o'clock p. m.

AFTERNOON SESSION.

1 o'clock P. M.

The board reconvened, and was called to order by the president.

Convict Walter R. Harms, No. 812 (file No. 22), appeared before the board and made a statement of his case.

Convict James R. McDonald, No. 1274 (file No. 4), appeared before the board and made a statement of his case.

Convict William J. Jobson, No. 669 (file No. 16), appeared before the board and made a statement of his case.

Convict Wallace Hayes, No. 210 (file No. 7), appeared before the board and made a statement of his case.

Convict Purl Heath, No. 1191 (file No. 2), appeared before the board and made a statement of his case.

Convict William Sharkey, No. 234 (file No. 6), appeared before the board and made a statement of his case.

Convict John W. Grebel, No. 876 (file No. 15), appeared before the board and made a statement of his case.

Convict Jesse A. Sage, No. 1065 (file No. 8), appeared before the board and made a statement of his case.

On motion of Mr. Rarden,

The board adjourned to meet at the Morton House, Grand Rapids, tomorrow at 9 o'clock a. m.

BOARD OF PARDONS,
Grand Rapids, Thursday, April 5, 1894. }

The board met at the Morton House, on the above date, and was called to order by the president at 10 o'clock a. m.

Present, Messrs. Beck, Gilbert, Rarden and president.

Journal of previous session approved without reading.

David E. Burns, of Grand Rapids, appeared before the board in the case of Fred. S. Crampton (file No. 121), and made an oral argument in his behalf.

Judge E. A. Burlingame, of Grand Rapids, appeared before the board and made statements in the cases of Charles L. Johnson (file No. 24), Walter R. Harms (file No. 22), John Kelly (file No. 113), John Jansen (file No. 5), Joseph Sweeney (file No. 118), and John Leys (file No. 122).

Hon. William F. McKnight, of Grand Rapids, appeared before the board and made statements in the cases of John Jansen (file No. 5), Walter R. Harms (file No. 22), Albert Ten Elshof (file No. 28), and Joseph Sweeney (file No. 118).

Hon. Allen C. Adsit, of Grand Rapids, appeared before the board and made a statement in the case of Albert Ten Elshof (file No. 28).

Simon LaGrou, of Grand Rapids, appeared before the board and made statements in the cases of John W. Grebel (file No. 15), John Leys (file No. 122), and Joseph Sweeney (file No. 118).

Charles A. Watt, of Grand Rapids, appeared before the board and made an argument in behalf of John Leys (file No. 122), and John W. Grebel (file No. 15).

Ex-Alderman Edward Sweeney, of Detroit, appeared before the board in behalf of convict Joseph Sweeney (file No. 118).

The board then took a recess until 2 o'clock p. m.

AFTERNOON SESSION.

2 o'clock P. M.

The board was called to order by the president.

Hon. H. A. Hydorn, of Grand Rapids, and Mrs. Joseph Sweeney appeared before the board in behalf of convict Joseph Sweeney (file No. 118), and made statements in the case.

A. O. Crozier, Hon. I. M. Weston, Hon. Geo. N. Davis, Smith G. Ketchum, and Alderman Teachout, of Grand Rapids, appeared before the board and made oral arguments in behalf of Louis E. Anthony (file No. 52).

Hon. J. B. Judkins, of Grand Rapids, appeared before the board and made statements in the cases of Eugene H. Wood (file No. 38), Seth Aiken (file No. 65), and Myron Delano (file No. 45).

Dr. M. Veenboer, of Grand Rapids, appeared before the board in behalf of convict John W. Grebel (file No. 15).

The opinion in the case of William A. Danforth (file No. 31), was submitted to the board, in writing, by Mr. Rarden and unanimously adopted.

The opinion is as follows:

WILLIAM A. DANFORTH, No. 4103 (File No. 31).

In the matter of the petition for pardon of William A. Danforth, we respectfully submit the following report of our investigation in the premises, and a statement of the facts as we understand them, together with our opinion and recommendation thereon.

1. On the 14th day of May, 1887, the petitioner, who is a man about 50 years of age, was tried and convicted of the crime of assault with intent to rape, before Hon. Edwin A. Burlingame, judge of the superior court of the city of Grand Rapids, and a jury, and Samuel D. Clay, as prosecuting attorney for Kent county, and was sentenced for the term of ten years to the State Prison at Jackson, Michigan.

2. The girl upon whom the assault was committed was at the time about 12 years of age, and it appears that the petitioner took her into a room over his restaurant, locked the door, and took indecent liberties with her person, and this he practically admits. He says in his petition: "I admit being in the room with the girl; she came there of her own accord; was past the age of consent; knew what she was doing; had been there before different times, and nothing ever transpired between us except by mutual consent." Thus this man practically concedes that he had debauched this little girl, and yet he now sues for pardon, pleading innocence, because he says that this child was of the age of consent, knew what she was doing and agreed to it. It may be true that this man persuaded this child to submit to his gross desires, and if so, his conviction was not technically justified under the law, as it then was, but he was convicted, and not having the judge's charge we must assume that the case went to the jury under proper instructions.

If a man should now be guilty of an outrage, such as this man confesses to have committed upon this child, he would be justly convicted, and ten years in State Prison would not be too long a term for him to serve.

Whether or not this girl consented to this man's advances, or whether he had a fair trial or not, are questions which we do not feel it our duty to pass upon in view of the circumstances of the case, and we are content to let the matter rest under the verdict of the jury and the sentence of the court. We therefor concur in the opinion of the former board and recommend that the prayer of the petitioner be not granted.

The opinion in the case of John M. Higgins (file No. 77), was submitted to the board, in writing, by Mr. Rarden and unanimously adopted.

The opinion is as follows:

JOHN M. HIGGINS, No. 4256 (File No. 77).

In the matter of the petition for the commutation of sentence of John M. Higgins, we respectfully submit the following report of our investigation in the premises, and a statement of the facts, as we understand them, together with our opinion and recommendation thereon.

1. On the 9th day of January, 1888, the petitioner, who had been tried and convicted of the crime of burglary, before Hon. George Gartner, judge of the recorder's court of the city of Detroit, and a jury, and George F. Robison, as prosecuting attorney for Wayne county, was sentenced to the State Prison at Jackson for the term of ten years.

2. The petitioner is now a man about 27 years of age, of respectable parentage, well connected, and has a liberal education. He is endowed with more than ordinary talent, is a writer and speaker of no mean ability, and a fine appearing man of pleasing address, and it is difficult to believe that he is a professional criminal.

3. The crime of which he was convicted and for which he is now undergoing punishment, was the breaking and entering of a dwelling house in the night time and stealing therefrom thirty dollars in money and a watch and other articles, in which transaction it appears that he was an accomplice, while the notorious William Considine was the principal.

4. The grounds upon which he relies for executive clemency are first, that the sentence was excessive, second, that he has reformed, and will hereafter be an honest upright citizen, and third, that his parents are very old and feeble and need his help and care.

5. Judge Gartner joins in the application for commutation of sentence, and says that as he now regards it the sentence was excessive, and Prosecuting Attorney Robinson concurs in that opinion.

6. The petitioner has the following police record in the city of Detroit, viz.: "Higgins, John M., has been arrested as follows: November 18, 1885, larceny, two years at Ionia. Several burglaries were committed in his neighborhood. He admitted committing two of them. Officers Mc Donnell and Noble." "November 11, 1887. Burglary. Ten years State Prison. January 9, '88. Officers E. Sullivan and McDonnell."

7. This application was denied by the former board June 15, 1892, and again May 18, 1893.

8. The petitioner says his prison record at Ionia was exemplary, and that when released it was his determination to lead an honest and manly life, yet within five months we find him frequenting gambling houses and gambling and associated with the notorious Considine gang and implicated in several burglaries.

9. It is clearly evident that upon his last trial he committed the additional crime of perjury, for he then swore that he did not commit the crime which he now acknowledges, and he also testified that he did not make the confessions to officers McDonnell and Noble, to which they testified, wherein he admitted having committed at least one other burglary.

10. It would be gratifying to believe that a man who is capable of so much would, if released, take such a course as to make the most and best of his life. If he would employ his abilities in the honest endeavor to make a man of himself, he could make his life valuable to himself, his friends and to society. On the other hand, should he employ his talents

in the pursuit of crime, he would be a dangerous man to be at large. His record is such that we hesitate to assume that he would be all he promises.

Once before he suffered the penalty of the law for the commission of crime, and then claimed that this experience had awakened the better impulses of his manhood, and yet, within a few months, we find him visiting gambling houses, associating with crooks, and committing more serious crimes. He claims that these acts are due to the infirmity of weakness, but whether such is the case, or whether they are the evidences of a depraved nature, the result seems to be the same. His promise is all the guaranty we have for his future conduct, and his own statement on file does not inspire us with confidence. Our natural impulse is to help this young man by expressing our confidence in him in a recommendation for executive clemency, but the circumstances attending the crime of which he was convicted, and the history of his life, are such that we dare not do so, and we therefore recommend that the prayer of the petitioner be not granted.

The opinion in the case of Louis E. Anthony (file No. 52), was presented to the board, in writing, by Mr. Rarden and unanimously adopted.

The opinion is as follows:

LOUIS E. ANTHONY, No. 4172 (File No. 52).

In the matter of the petition for the pardon of Louis E. Anthony, we respectfully submit the following report of our investigation in the premises, and a statement of the facts, as we understand them, together with our opinion and recommendation thereon.

1. On the 3d day of October, 1887, the petitioner was tried and convicted of the crime of rape, before Judge Montgomery, circuit judge of the county of Kent, and a jury, and S. D. Clay, as prosecuting attorney of said county, and sentenced to State Prison for the term of ten years.

In this case there are voluminous petitions, signed by citizens residing in the locality where the crime was committed, and by many prominent people of the city of Grand Rapids and Kent county, including many officials, and even ministers of the gospel. There are also on file in this case numerous letters from men and women of the highest character and standing in Grand Rapids, asking for clemency, and the prosecuting officers join in this appeal.

When we consider the nature of the crime of which this man was convicted by a jury, and the circumstances as disclosed by the testimony, showing that he committed a most terrible assault upon a little girl, a mere child, it is difficult to understand why so many good people join in the appeal for clemency, and we cannot but conclude that they have acted in this behalf without fully understanding the circumstances, or without mature deliberation.

It is impossible to imagine that any one of these people would have joined in this appeal if this little girl had been his own. It is said that this man was at the time of the assault so much intoxicated that he did not know what he was doing, but it is not claimed that he had drank intoxicating liquor until his reason was permanently dethroned, or that insanity was his normal condition. In fact, it is in evidence that he recovered as quickly from the results of his debauch as men ordinarily do.

He was not convicted of a crime of which present intent is made a

necessary ingredient. However intoxicated he may have been at the time, the law does not excuse him for that reason, but this may be, and apparently was in this case, taken into consideration by the court in imposing sentence.

The petitioner claims that he used all his powers to resist the temptation to drink, and, although assisted by the counsel and prayers of a loving mother, he periodically surrendered to this temptation, and it appears that when he was intoxicated he was a violent, dangerous man, of whom even his own wife was afraid, as she testifies.

It is said that he has really reformed and become a Christian and will never again use intoxicating liquors. We sincerely trust that this may be so, yet in view of his past, we hesitate to assume the responsibility of permitting him to make a test of the strength of his manhood, until such time as the law will give him his liberty.

It must be admitted that if this man should again succumb to the appetite for strong drink, the best place for him and the safest place for the people is where he is. We do not wish to be understood as criticising or condemning those who have signed the petitions or written the letters in this case. Charity, pity and sympathy are the noblest attributes of our nature, and that these people in response to the appeal of his aged mother joined in this application is the natural expression of these sentiments. Nor are we wanting in admiration and reverence for this noble woman, whose mother love has inspired her with an untiring zeal, that conquers age and ignores infirmities, and has almost compelled us to forget that we are to be governed neither by sympathy nor prejudice.

We are aware that a former board recommended a commutation of sentence in this case, but we conclude that in their sympathy for the mother they partially lost sight of the horrible crime of which the son was convicted.

It would be a pleasing office to give this son back to his mother and children, who are poor and need his help and care, but it seems to us that in so doing we would condone a crime, than which there is no other more revolting.

We therefore recommend that the prayer of the petitioner be not granted.

The recommendation in the case of Henry Grandahl (file No. 95), was presented to the board, in writing, by Mr. Gilbert and unanimously adopted.

The recommendation is as follows:

HENRY GRANDAHL, No. 571. (File No. 95).

In the matter of the petition of Henry Grandahl, now imprisoned in the Detroit House of Correction, for pardon.

The advisory board in the matter of pardons have had under consideration the petition filed by the said Henry Grandahl, and herewith submit our findings and recommendations as follows:

1. We find that petitioner was complained of jointly with one William Jarvis, late of Detroit, for receiving stolen property, and that upon the 25th day of May, 1893, he was convicted in the recorder's court for Detroit of said offense, and was sentenced by said court to two years imprisonment in Detroit House of Correction.

2. That the above named offense is the first and only offense he has ever been charged with or guilty of during his life.

3. That he has labored at different places previous to the commission of the offense, and the money so earned by him was given to his parents who are poor and destitute and have a large family to support, and that such contribution was of great assistance to the family.

4. That at the time of his arrest he gave another name, hoping to conceal the fact of his arrest from his parents and friends.

We learn the foregoing facts, finding them stated in the petition, and from persons of well known integrity whom we have examined concerning the truth of said petition. Accompanying the petition is a recommendation from Allan H. Frazer, prosecuting attorney of Wayne county, who states that he firmly believes said Grandahl was led into the commission of this crime by association with an old offender, and he would be glad if the prayer of the petitioner for pardon be granted. A similar indorsement is also made by William Look, late circuit judge of the Wayne circuit court. Among other statements he says the boy always bore a good reputation and that the prayer of the petitioner ought to be granted.

The complaining witness and the one from whom the goods were stolen, Leon Weinberg, states that he has thoroughly investigated the worthiness of this application and hopes the prayer of the petitioner may be granted.

Hon. F. H. Chambers, recorder of the city of Detroit, and from whose court said Grandahl was sentenced, recommends clemency and pardon. A similar statement is contained in letters from Charles R. Forster, John F. Walker, and others, all reputable citizens of Detroit, and well acquainted with the petitioner and with the family, recommending that the prayer for pardon be granted. John B. Coriden, for whom the petitioner worked prior to the commission of the crime, also joins in the petition for his release, stating among other things that the said Grandahl was coaxed from his work by the strikers, and that it is his belief that had the strike not occurred he would still be at work for him, and that in case the prayer of the petitioner be granted he will give him work again at the first opportunity.

From the best information we were able to obtain, and which we consider reliable, we are satisfied that said Grandahl was ignorant of what he was doing when the offense was committed, and being unfortunately in company with an old offender, and being of an age of about 17 years, he was more by the impulse of the moment than by any wicked design prompted to do the act he did.

Having carefully considered all the facts and the best interests of the boy, and also what we consider a matter of right and justice both as far as concerns the prisoner and also as it might benefit his parents, we recommend that his application for commutation be granted, to take effect May 1, 1894.

The opinion in the case of James E. Lawson (file No. 34), was presented to the board, in writing, by Mr. Beck and unanimously adopted.

The opinion is as follows: .

JAMES E. LAWSON, No. 3225 (File No. 34).

In the matter of the petition for the pardon of James E. Lawson, we respectfully submit the following report of our investigation in the premises, and a statement of the facts as we understand them, together with our opinion and recommendation thereon.

1. On the 3d day of May, 1884, the petitioner, who is a man 32 years of age, pleaded guilty to the crime of burglary before Judge Swift, judge of the recorder's court of the city of Detroit, and was sentenced for the term of fifteen years to the State Prison at Jackson, Michigan.

2. The act for which he pleaded guilty of the crime was breaking and entering in the night time the dwelling house of one Millie Granger for the purpose of stealing, and there in the presence of the said Millie Granger stealing and carrying away a watch and some jewelry, and intimidating her while so doing, all of which he admits.

3. He admits that he had before committed other crimes, and had already served two years in Jackson for horse stealing. He bears a good reputation in the prison and has so conducted himself that he has gained the good will of the officials, and he claims to be thoroughly reformed and earnestly insists that he will hereafter be a good law abiding citizen.

Were it not for the past record of this young man we should feel disposed to try to teach him that the law is not vindictive by expressing our confidence in his professions and promises, and recommending the commutation of his sentence, but, since his former punishment did not reform him or restrain him from crime, we hesitate to do so, although it would be a pleasant office to give him the encouragement of our confidence.

4. It also appears that Lawson committed rape upon the lady whose home he burglarized. This is learned from the lady in question, who says that the night of the burglary he committed this other crime.

We therefore recommend that the prayer of the petitioner be not granted. All of which is respectfully submitted.

On motion of Mr. Beck,

The board adjourned to meet at Jackson prison on Wednesday, April 18, 1894, the date of the next regular meeting.

BOARD OF PARDONS,
Jackson, Wednesday, April 18, 1894.

The board met at the State Prison on the above date, and was called to order by the president at 10 o'clock a. m.

Present, Messrs. Beck, Gilbert, Rarden and president.

Journal of previous session approved without reading.

Convict Alexander Visner, No. 5736 (file No. 106), appeared before the board and made a statement of his case.

Hon. L. L. Church, of Howard City, appeared before the board in behalf of Fred S. Crampton (file No. 121), and made a statement in the case.

Convict Albert Bluedick, No. 5337 (file No. 107), appeared before the board and made a statement of his case.

Convict Charles Mann, No. 5177 (file No. 112), appeared before the board and made a statement of his case.

The opinion in the case of George Wilson (file No. 73), was presented to the board, in writing, by Mr. Beck and unanimously adopted.

The opinion is as follows:

GEORGE WILSON, No. 5583 (File No. 73).

In the matter of the petition for pardon of George Wilson, we respectfully submit the following report of our investigation in the premises, also our opinion and recommendation thereon.

The said George Wilson was sentenced May 28, 1893, to Jackson State Prison for five years for crime of larceny. He was tried and convicted before F. H. Chambers, judge of the recorder's court, county of Wayne with Allan H. Frazer, prosecuting attorney.

The circumstances of the charge were the theft of a violin, which was found in his possession, and there appears to have been little, if any, defense. The police department of Detroit informs us that his reputation is that of a chronic thief, he having previously served a short term at the Detroit House of Correction for a similar offense. His occasional occupation has been that of a deck hand on the river steamers at Detroit, and when not thus employed spent his time with associates who were constantly under police surveillance. His sentence was made severe on account of his previous record, and in our judgment was a just one.

Under the circumstances his application for pardon is denied.

The board then took a recess until 1 o'clock p.m.

AFTERNOON SESSION.

1 o'clock P. M.

The board re-convened and was called to order by the president.

Convict Joseph Sweeney, No. 5218 (file No. 118), appeared before the board and made a statement of his case.

Convict George E. O'Briene, No. 3981 (file No. 111), appeared before the board and made a statement of his case.

Convict George Fox, No. 4984 (file No. 109), appeared before the board and made a statement of his case.

Convict George Higgins, No. 3792 (file No. 108), appeared before the board and made a statement of his case.

Convict Martin Spandit, No. 3836 (file No. 110), appeared before the board and made a statement of his case.

Convict John Kelly, No. 5538 (file No. 113), appeared before the board and made a statement of his case.

Convict Major L. Evans, No. 5188 (file No. 125), appeared before the board and made a statement of his case.

Richard Price, of Jackson appeared before the board and made an oral argument in behalf of Major L. Evans (file No. 125).

Convict William J. Dane, No. 4728 (file No. 123), appeared before the board and made a statement of his case.

Convict Charles Hayes, No. 5313 (file No. 127), appeared before the board and made a statement of his case.

G. E. Compton, of Springfield, Ohio, appeared before the board in behalf of convict Charles Hayes (file No. 127).

Eliza Courts and Emma Butler, of Detroit, appeared before the board in behalf of convict Michael K. Mills (file No. 53).

Convict Charles Averill, No. 5487 (file No. 119), appeared before the board and made a statement of his case.

On motion of Mr. Rarden,

The board adjourned until tomorrow at 10 o'clock a. m.

BOARD OF PARDONS,
Jackson, Thursday, April 19, 1894. }

The board convened pursuant to adjournment, and was called to order by the president.

Present, Messrs. Beck, Gilbert, Rarden and president.

Journal of previous session approved without reading.

The opinion in the case of George W. Blake (file No. 82), was presented to the board, in writing, by the secretary and unanimously adopted.

The opinion is as follows:

GEORGE W. BLAKE, No. 259 (File No. 82).

We have the honor to submit herewith our opinion and recommendation in the matter of the application of George W. Blake for commutation of sentence.

1. Blake pleaded guilty to the charge of bigamy, in the circuit court for Chippewa county, and was sentenced by Judge Joseph H. Steere, on May 16, 1891, to Marquette Prison for the term of four years and nine months.

2. Blake married a girl in Buffalo and had two children by her. Soon afterwards he took a position on one of the lake steamers, and finally left the boat at Sault Ste. Marie, where he paid attention to several young ladies, one of whom he married. When accused of the crime he at first denied his guilt, but when brought face to face with his lawful wife he acknowledged his guilt. L. F. Bedford, who was prosecuting attorney, informs the board that he had all the evidence, both documentary and oral that was necessary to have established his guilt.

3. After a careful consideration of all the facts in the case, and the judge and prosecuting attorney being strongly opposed to any clemency being extended, and also taking into consideration the seriousness of the offense, we are unanimously of the opinion that Blake should not be released until his sentence expires.

All of which is respectfully submitted.

The opinion in the case of Joseph Sabourin (file No. 83), was presented to the board, in writing, by the secretary and was unanimously adopted.

The opinion is as follows:

JOSEPH SABOURIN, No. 485 (File No. 83).

We have the honor to submit herewith our opinion and recommendation in the matter of the application of Joseph Sabourin for pardon.

1. Joseph Sabourin pleaded guilty in the circuit court for Grand Traverse county to the crime of adultery, and was sentenced by Judge J. G. Ramsdell December 10, 1892, to Marquette Prison for the term of two years. Sabourin was charged jointly with one Mary Alain, a married woman, who also pleaded guilty, and on whom sentence was suspended.

2. The petition for pardon is made by the wife of Sabourin, who alleges that she has a family of four small children, and is without means of support, and that she is in need of the help of her husband to maintain the family. She further alleges that his paramour has returned to and is now living with her husband. She asks that Sabourin be released for the reason that he has, as appears from letters written to his wife since his incarceration, thoroughly repented of his errors, and is anxious to return to his family. The parties are ignorant and it is undoubtedly a fact that neither were aware that they were committing a crime by deserting their respective husband and wife and living together in a state of adultery.

3. If we could be induced to believe that Sabourin is thoroughly repentant, and that he would, if released, return to his family and aid in their support, there might be some inducement to extend clemency, but the board is in possession of satisfactory evidence to the effect that he intends again joining his accomplice in open adultery as soon as released from confinement. He may be ignorant of the seriousness of the outcome of this illicit love, but human passion knows no law. His good time will expire August 11, 1894, and we feel that the interests of the State and of society, as well as the welfare of his wife and children, demand that he shall remain in imprisonment as long as the law will permit.

All of which is respectfully submitted.

The opinion in the case of Charles H. Elliott (file No. 80), was presented to the board, in writing by the secretary and unanimously adopted.

The opinion is as follows:

CHARLES H. ELLIOTT, No. 212 (File No. 80).

We have the honor to submit herewith our opinion and recommendation in the matter of the application of Charles H. Elliott for pardon.

1. Elliott was convicted of attempt to commit rape on a young Swedish girl, nine years of age, and unable to speak the English language, in the circuit court for the county of Schoolcraft, and on the 23d day of January, 1891, he was sentenced by Judge Joseph H. Steere to five years imprisonment at Marquette Prison.

2. He bases his application on the ground that he was innocent of the offense charged, but after a very thorough perusal of the evidence given on the trial we are unable to see how the jury could possibly have arrived

at any other conclusion, and no new evidence having come to our knowledge since the trial, it is the sentiment of the board that the application should be denied.

All of which is respectfully submitted.

Convict William B. White, No. 3242 (file No. 94), appeared before the board and made a statement of his case.

Convict Jacob Katterman, No. 3240 (file No. 105), appeared before the board and made a statement of his case.

Convict William P. Carey, No. 5526 (file No. 126), appeared before the board and made a statement of his case.

The board then took a recess until 1 o'clock p. m.

AFTERNOON SESSION.

1 o'clock P. M.

The board reconvened, and was called to order by the president.

On motion of Mr. Gilbert,

The application of Purl Heath for pardon (file No. 2) was unanimously denied.

The case was referred to the secretary to submit an adverse report thereon.

Convict Fred Foote, No. 3777 (file No. 117), appeared before the board and made a statement of his case.

Convict Myron Delano, No. 5052 (file No. 45), appeared before the board and made a statement of his case.

On motion of Mr. Beck,

The sentence of Marcellus Robinson (file No. 47), was commuted so as to expire June 15, 1894.

Yeas—Messrs. Beck, Gilbert, Rarden and president, 4.

Nays—0.

The case was referred to Mr. Rarden to submit a recommendation and report thereon.

On motion of Mr. Rarden,

The application of Albert Bluedick (file No. 107), was unanimously denied.

The case was referred to the secretary to submit an adverse report thereon.

Convict John Smith appeared before the board and made a statement in the case of Charles Hayes (file No. 127).

On motion of Mr. Gilbert,

The board adjourned.

BOARD OF PARDONS,
Lansing, Wednesday, May 16, 1894. }

The board convened at the executive office and was called to order by the president at 10 o'clock a. m.

Present, Messrs. Beck, Gilbert, Rarden and president.

Journal of previous session approved without reading.

The opinion of the board in the case of Peter J. Schulte (file No. 85),

was presented to the board, in writing, by Mr. Beck and unanimously adopted.

The opinion is as follows:

PETER J. SCHULTE, No. 32 (File No. 85).

In the matter of the petition for pardon of Peter J. Schulte, we respectfully submit the following report of our investigation in the premises, and our opinion and recommendation thereon.

The said Peter J. Schulte was sentenced on the 29th day of April, 1891, to the Detroit House of Correction for the term of five years for the crime of embezzlement.

He was tried and convicted before F. H. Chambers, judge of the recorder's court of Detroit, with Oscar M. Springer as prosecuting attorney.

The circumstances of the charge are the embezzlement of \$1,570 from C. H. Ritter & Co., Detroit, by whom he was employed as a bookkeeper from December, 1887, to December, 1890. This embezzlement covered most of the time he was in their employ, and was taken in sums of \$10 to \$100, making false entries in the books to cover up the thefts, which commenced according to evidence, March 21, 1888, three months after his entering the employ of the firm, and continued until December, 1890, when he was detected. He had previous to his employment by C. H. Ritter & Co. for some time been out of employment and had contracted a number of debts which he claimed were pressing him, and were the cause of his taking Ritter & Co's money. He had, however, some time previous to this lost a good position in a Detroit bank on account of being short in his accounts, some \$3,500, which had been paid by his mother, and for which he was not prosecuted, being simply discharged by the bank.

During his employment by Ritter & Co. they had raised his salary to \$20 per week by three successive increases from \$12 per week, all during the time he was appropriating their funds to his own use. He admitted his guilt on the trial, and to your board when he appeared before them.

His principal plea for pardon now is on account of his wife and eight children, who are now being supported by charity almost entirely.

In most cases of this kind we find that the families of convicts are as great, if not greater, sufferers than the convicts themselves, but it does not seem to us good policy to recommend clemency on this account alone, particularly as there seems to be evidence to the effect that the wants of his family were not the causes of his crime, a portion of the money earned and appropriated having, it is said, been expended in other ways than on his own family.

Under all these circumstances we recommend that the application for pardon be denied.

The opinion in the case of Charles Smith (file No. 54), was presented to the board, in writing, by Mr. Beck and unanimously adopted.

The opinion is as follows:

CHARLES SMITH, No. 5283 (File No. 54).

In the matter of the petition for pardon of Charles Smith, we respectfully submit the following report of our investigation in the premises, also our opinion and recommendation thereon.

The said Charles Smith was convicted in the recorder's court in the city of Detroit, March 30, 1891, before Judge F. H. Chambers, with Oscar M. Springer, prosecuting attorney, on the charge of receiving stolen property, and on the 2d of April, 1891, was sentenced for five years to State Prison at Jackson.

The circumstances of the charge are the receiving of ten pounds of pork of the value, of one dollar, knowing it to have been stolen by George Jefferson and Ed. Cornell, two young men who boarded with Smith.

It appears from the testimony he had a number of boys around him whom he educated to commit robberies, and the police department of Detroit says when he was arrested and his house searched a considerable quantity of goods was found there and identified by different persons as having been stolen from them. That a number of burglaries of stores were committed in the neighborhood by these young men, which had been planned and explicit directions given by him, and a considerable portion of the proceeds turned over to him. In other words, the evidence showed him to be a veritable Fagan.

Under the circumstances above noted, in our judgment the sentence was a just one, and we recommend that the application for pardon be denied.

The opinion in the case of Ed Hoagland (file No. 23), was presented to the board, in writing, by Mr. Beck, and unanimously adopted.

The opinion is as follows:

ED HOAGLAND, No. 1069 (File No. 23).

In the matter of the petition for pardon of Ed Hoagland, we respectfully submit the following report of our investigation, also our opinion and recommendation thereon.

The said Ed Hoagland was sentenced September 21, 1892, to the House of Correction at Ionia for three years on the charge of burglary and larceny.

He was tried and convicted before Edwin A. Burlingame, judge of the superior court of Grand Rapids, with Wm. F. McKnight, prosecuting attorney.

The circumstances of the charge were that he, with two others, broke into the store of John M. Wolcott, Grand Rapids, late in the evening of the 11th day of July, 1892, and abstracted therefrom a quantity of cigars, tobacco, etc. He was convicted largely on the testimony of one of his associates, one Remington, who is confined at Ionia for the same crime and on the same sentence. Hoagland insists on his innocence of the charge, but there was undisputed evidence of his being in company with Remington at this date, and the judge has informed us as a board personally that he was guilty beyond any reasonable doubt. His associates have been bad, he is said to be a very smooth, agreeable bad young man, and Judge Burlingame states that many good citizens of Grand Rapids have thanked him for being thus relieved for three years from his depredations.

His father and mother are said to be very respectable people, who are well regarded in Grand Rapids. At his father's solicitation and on his father's account a number of prominent citizens have signed a petition asking for a pardon, but in our judgment the ends of justice will be better served by his remaining where he is until the end of his sentence.

Under the circumstances stated, we recommend that his application for pardon be denied.

The opinion in the case of Franklin W. Bickford (file No. 41), was presented to the board, in writing, by the secretary and unanimously adopted. The opinion is as follows:

FRANKLIN W. BICKFORD, No. 5334 (File No. 41).

In the matter of the application for pardon of Franklin W. Bickford, a convict in the State Prison, we have the honor to submit herewith our opinion and recommendation thereon.

1. Bickford was convicted in the superior court of the city of Grand Rapids on June 23, 1892, of burglary and larceny, and was sentenced by Judge Burlingame to 12 years imprisonment at Jackson Prison.

2. We learn from various sources that Bickford has already served three terms in the Maine State prison. He is strongly addicted to the use of opium, and his mind appears to be affected. He is a confirmed criminal; there is no reason to believe he was not guilty of the offense charged, or that the sentence was unjust or excessive, and we therefore recommend that his application be denied.

All of which is respectfully submitted.

On motion of Mr. Rarden,

Convict John Kreiling (file No. 12) was granted leave to withdraw certain papers from the files.

On motion of Mr. Beck,

The application of James R. McDonald (file No. 4) for pardon was denied.

Yeas—Messrs. Beck, Gilbert, Rarden and president, 4.

Nays—0.

The case was referred to Mr. Smith to present an adverse opinion thereon.

On motion of Mr. Rarden,

The pardon of John Jansen (file No. 5), a convict in the Ionia prison, was recommended.

Yeas—Messrs. Beck, Gilbert, Rarden and president, 4.

Nays—0.

The case was referred to Mr. Gilbert to present an opinion and recommendation thereon.

On motion of Mr. Beck,

The application of William Loree (file No. 10) for pardon was denied.

Yeas—Messrs. Beck, Gilbert, Rarden and president, 4.

Nays—0.

The case was referred to Mr. Beck to present an adverse report thereon.

On motion of Mr. Rarden,

The sentence of John W. Grebel (file No. 15), a convict in the Ionia prison, was commuted to three years.

Yeas—Messrs. Beck, Gilbert, Rarden and president, 4.

Nays—0.

The case was referred to Mr. Gilbert to submit an opinion and recommendation thereon.

On motion of Mr. Gilbert,

The pardon of William J. Jobson (file No. 16), a convict in Ionia prison, was recommended.

Yeas—Messrs. Beck, Gilbert, Rarden and president, 4.

Nays—0.

The case was referred to Mr. Rarden to submit an opinion and recommendation thereon.

On motion of Mr. Rarden,

The application of William Aplin (file No. 18) for pardon was denied.

Yeas—Messrs. Beck, Gilbert, Rarden and president, 4.

Nays—0.

The opinion in the above case was submitted to the board, in writing, by Mr. Rarden and unanimously adopted.

The opinion is as follows:

WILLIAM APLIN, No. 516 (File No. 18).

In the matter of the petition for the pardon of William Aplin, we respectfully submit the following report of facts and circumstances, and our recommendation thereon.

1. The petitioner, who is a man about 56 years of age, having been tried and convicted of the crime of burglary at Flint, in the county of Genesee, before Hon. William Newton, circuit judge, and a jury, and Charles H. Johnson, prosecuting attorney for Genesee county, was on the 2d day of December, 1890, sentenced for the term of five years to the House of Correction and Reformatory at Ionia, Michigan.

2. The crime charged was breaking and entering a farmer's granary and stealing therefrom wheat to the value of \$17, which was afterwards returned to the owner by Aplin, but not until after it had been found in his wagon and his so-called son-in-law, James Wellington, had been arrested for this same crime.

3. The prisoner claims that he was not guilty of the crime of which he was convicted, and for which he is now undergoing punishment, and says that the crime was committed by the said James Wellington alone, while he and this petitioner were going from Flint to their home in the night time, with the petitioner's horse and wagon, and that the crime was committed by Wellington while this petitioner was so drunk that he knew nothing of what was taking place, although he claims that he was taken out of the wagon and laid by the side of the road while the wheat was being loaded. He also says that before they arrived home that night he awoke, and that Wellington then informed him what he had done.

4. Wellington was arrested for this crime and pleaded guilty to petty larceny and was fined \$100. Aplin says that Wellington was living with the petitioner's daughter as her husband, although he was not married to her.

5. In order to report favorably upon the matter of this petition, it would be necessary to accept as true Aplin's statement corroborated only by the affidavit of this confessed criminal, for whatever may have been said by Wellington to Aplin in the Flint jail it would not be competent as testimony and would be unreliable for any purpose. In this case there can be no need of further investigation, for the petition tells the whole story, and the only question is whether we shall believe the story of these two men. It is evident that the jury did not believe Aplin when he testified on the trial of the case, else he would not have been convicted.

6. We are not ready to accept the theory of Aplin's innocence, nor do we think the sentence was excessive. We therefore recommend that the prayer of the petitioner be not granted.

All of which is respectfully submitted.

On motion of Mr. Rarden,

The pardon of Walter R. Harms (file No. 22), a convict in Ionia prison, was recommended.

Yeas—Messrs. Beck, Gilbert, Rarden and president, 4.

Nays—0.

The case was referred to Mr. Gilbert to submit an opinion and recommendation thereon.

The board then took a recess until 2 o'clock. p m.

AFTERNOON SESSION.

2 o'clock P. M.

The board convened and was called to order by the president.

L. Frank Clark, of Mason, and Arthur D. Prosser, of Lansing, appeared before the board and made oral arguments in behalf of convict Harold O. Henderson (file No. 14).

On motion of Mr. Gilbert,

The application of Eugene H. Wood (file No. 38), a convict in Jackson prison, was denied.

Yeas—Messrs. Beck, Gilbert, Rarden and president, 4.

Nays—0.

The case was referred to Mr. Rarden to submit an adverse opinion thereon.

On motion of Mr. Gilbert,

The application of Peter Hanson (file No. 43) for pardon was denied.

Yeas—Messrs. Beck, Gilbert, Rarden and president, 4.

Nays—0.

The case was referred to the secretary to submit an adverse opinion thereon.

On motion of Mr. Rarden,

The application of James H. Harris (file No. 57) for pardon was denied.

Yeas—Messrs. Beck, Gilbert, Rarden and president, 4.

Nays—0.

The case was referred to Mr. Smith to submit an adverse opinion thereon.

On motion of Mr. Rarden,

The application of Charles W. Waterman (file No. 71) for pardon was denied.

Yeas—Messrs. Beck, Gilbert, Rarden and president, 4.

Nays—0.

The case was referred to Mr. Smith to submit an adverse opinion thereon.

On motion of Mr. Beck,

The board adjourned to meet at the Marquette prison on Monday, May 28, 1894.

BOARD OF PARDONS,
Marquette, Monday, May 28, 1894. }

The board convened at the office of the warden in the State House of Correction and Branch of State Prison in the upper peninsula, on the above date, and was called to order by the president at 9:45 o'clock a. m.

Present, Messrs. Beck, Gilbert, Rarden and president.

Journal of previous session approved without reading.

Convict Patrick Burke, No. 5 (file No. 114), appeared before the board and made a statement of his case.

Convict James Troy, No. 401 (file No. 132), appeared before the board and made a statement of his case.

Convict Thomas Ryan appeared before the board and made a statement in the case of James Troy (file No. 132).

Convict August Wolf, No. 276 (file No. 143), appeared before the board and made a statement of his case.

Maggie Watson appeared before the board and made a statement in the case of John McDonald (file No. 79).

W. S. Hill, of Marquette, appeared before the board and made an oral argument in behalf of John McDonald (file No. 79).

The board then took a recess until 2 o'clock p. m.

AFTERNOON SESSION.

2 o'clock P. M.

The board reconvened and was called to order by the president.

Convict John McDonald, No. 71 (file No. 79), appeared before the board and made a statement of his case.

Convict John Borgetto, No. 489 (file No. 144), appeared before the board and made a statement of his case.

Convict John Douglass, No. 598 (file No. 145), appeared before the board and made a statement of his case.

Convict Morris N. Sackett, No. 329 (file No. 146), appeared before the board and made a statement of his case.

Convict James Harcourt, No. 313 (file No. 89), appeared before the board and made a statement of his case.

The opinion in the case of Albert Bluedick (file No. 107) was presented to the board, in writing, by the secretary and unanimously adopted.

The opinion is as follows:

ALBERT BLUEDICK, No. 5337 (File No. 107).

We have the honor to submit herewith our opinion and recommendation in the matter of the application of Albert Bluedick for pardon.

1. Bluedick was convicted in the circuit court for Cass county of the crime of larceny, and was sentenced by Judge O'Hara June 28, 1892, to imprisonment at Jackson Prison for three years and six months. L. B. Des Voignes was prosecuting attorney.

2. The only papers on file in this case, upon which this board is to act,

are the application and statement of the prisoner and his portrait. In his own statement he admits the commission of the offense, the circumstances of which it is unnecessary to cite in this opinion, and the only reason he gives why executive clemency should be extended is the state of his health, and the fact, as he says, that he has an aged mother depending on him for support. His health appears to be fairly good, and as we have no information at hand showing that he has ever done anything to aid in the support of his mother, without further comment, we think the application is one that can be safely denied.

All of which is respectfully submitted.

The opinion in the case of Pearl Heath (file No. 2) was presented to the board, in writing, by the secretary and unanimously adopted.

The opinion is as follows:

PEARL HEATH, No. 1191 (File No. 2).

We have the honor to submit herewith our opinion and recommendation in the matter of the application of Pearl Heath for pardon.

1. Heath was convicted in the circuit court for Huron county on January 6, 1893, of the crime of larceny from the person and was sentenced by Judge Beach to two years imprisonment at the State House of Correction and Reformatory at Ionia. John F. Murphy was prosecuting attorney.

2. The application is based on the previous good character of the prisoner, and the fact that he was extremely intoxicated at the time of the commission of the offense. His parents are respectable people, and it is claimed that since his incarceration Heath has become converted. He admits his guilt to the board, but claims that he is reformed, that the object for which he was imprisoned has been attained, and that he will hereafter make a good citizen.

3. The prosecuting attorney informs us that Heath was the leader of a gang of toughs in Port Austin who made it a pastime to waylay and rob drunken men. From what we learn of the circumstances from reliable sources we do not deem it best to interfere with what is unquestionably a very light sentence.

All of which is respectfully submitted.

The recommendation in the case of John W. Grebel (file No. 15) was presented to the board, in writing, by Mr. Gilbert and unanimously adopted.

The recommendation is as follows:

JOHN W. GREBEL, No. 876 (File No. 15).

The advisory board in the matter of pardons have had under consideration the application of John W. Grebel, and herewith submit their findings and recommendation.

We find that said Grebel was convicted of the crime of burglary before the superior court of Grand Rapids, Judge Burlingame presiding, and that on the 17th day of April, 1891, he was sentenced to serve in the State House of Correction at Ionia for a period of seven years. We have examined the papers presented us, and heard the reasons urged that some leniency be shown the prisoner, and from the best evidence we are able to

obtain, and which we consider satisfactory, there is considerable doubt whether the prisoner was actually guilty of the crime for which he was convicted. Affidavits have been presented us which seem to substantiate these facts, still there is a strong probability that he was guilty of receiving stolen property. Judge Burlingame states in a letter dated September 2, 1893, which is in our possession, that from facts that have come to his knowledge since the trial he thinks the ends of justice would be satisfactorily subserved if the term of imprisonment should be reduced. A similar recommendation is made by S. LaGrou, who was the prosecuting attorney at the time of the conviction. He states that if the defense had been made which he thinks might have been made, he doubts whether the prisoner could have been convicted.

We have endeavored to obtain all the information we could concerning this application. Have personally consulted with Judge Burlingame and the prosecuting attorney, and they substantiate the statement herein reported.

From personal examination of the applicant we learn that he has consumption, and that he has reached the stage that the disease has become incurable. Has had several severe hemorrhages and they are liable to occur again at any time. He is now confined in the prison hospital and will have to remain there until death or executive clemency. Dr. Veenboer, of Grand Rapids, in an interview with the board agreed to take this prisoner and give him his farm to look after, thus keeping him in the open air as much as possible. This we believe would benefit the patient, and it is possible might relieve him of his present difficulty to an extent that it might work a cure of his present disability. The board, after having carefully considered all these matters, recommend that the sentence be commuted to three years.

The recommendation in the case of Walter R. Harms (file No. 22) was presented to the board, in writing, by Mr. Gilbert and unanimously adopted.

The recommendation is as follows:

WALTER R. HARMS, No. 812 (File No. 22).

The advisory board in the matter of pardons have had under consideration the application of Walter R. Harms, and herewith submit their findings and recommendation.

We find Harms was convicted before the superior court of Grand Rapids, Judge Burlingame presiding, W. F. McKnight, prosecuting attorney. Crime, grand larceny. Date of sentence, November 6, 1891. Term, four years.

The facts on which this conviction is sustained are substantially as follows: Two overcoats had been stolen from Badenstein Brothers, Grand Rapids. One was pawned, and the other found in the possession of said Harms. The pawnbroker was the principal witness. The value of the coats was sworn to by these people (selling value) at \$27.50, \$2.50 above the crime of simple larceny. When these coats were taken Harms went to a saloon and left them for drinks and afterwards pawned one. It is thought that the cost value of the coats was about \$15.00.

We believe four years sentence in this case was excessive. From a personal interview with Judge Burlingame we learn that a reason for making

the sentence so severe was that Grand Rapids at that time was infested with a lot of thieves and burglars, and these vigorous measures were taken to get rid of them again.

Mr. Harms' physical condition is such that he cannot live very long. He is suffering from syphilis already in the third stage, and to such an extent that the nasal superior maxillary and other bones of the nose and face are attacked. Some of the parts are sloughing and falling in, teeth falling out and gums shrinking, all making both his presence in the prison disagreeable and dangerous to any who may come in contact with him.

His father appears to be a man willing and anxious to take care of him.

He is their only son. His mother has been an invalid since his confinement in prison, and they say that their daily prayer is that the board will pardon him. In view of the fact that we think the sentence too severe, and also that we do not believe that the prisoner will live very long, we recommend that he be pardoned.

The recommendation in the case of John Jansen, (File No. 5), was presented to the board, in writing, by Mr. Gilbert, and unanimously adopted.

The recommendation is as follows:

JOHN JANSEN, No. 871 (File No. 5).

The advisory board in the matter of pardons have had under consideration the application of John Jansen, and herewith submit their findings and recommendation. The prisoner is 23 years of age, and was sentenced December 18, 1891, for the term of 3 years and 3 months for the crime of burglary and larceny.

The facts upon which this conviction was sustained are substantially as follows. A man by the name of Hart kept a saloon in the city of Grand Rapids. About 11 o'clock on the night when the offense was committed, said Hart closed his place of business and turned out the lights in his saloon, but it seems did not lock the door of the saloon. Jansen with two others discovered, as they claim, that the saloon was not locked, and went in and carried away one or two boxes of cigars and a bottle of whisky. Pardon is asked for because it is believed that he has suffered and paid the penalty of the crime committed by him by the time already served in the House of Correction, and because he, Jansen, is suffering from a disease from which he cannot recover, and also for the reason that it is believed he has become thoroughly repentant, and will in the future live an upright and honorable life.

Upon investigation and diligent search and enquiry, and from the facts which we have gathered from those in a position to know, and which we believe to be reliable, we find that up to the time of committing this crime he bore an exceptionally good character. His application is accompanied with numerous requests from prominent citizens of Grand Rapids, where he crime was committed, together with the recommendation of Judge Burlingame, before whom he was tried, and the prosecuting attorney.

We also find that Jansen is suffering from tubercular adenitis, from which he cannot recover. We learn this fact from Dr. Barnes, the prison physician, and we have caused an examination to be made by Dr. Gilbert, one of our members, who, at the request of the board, made a personal examination as to the physical condition of this applicant, and he reports that said Jansen has been in the hospital fourteen months, and that his

whole neck including lmyphatic glands are one mass of supurating ulcers, making his presence loathsome to both inmates and keepers.

If permitted to go from the prison we understand that his friends are in a position and are willing to properly care for him during the remainder of his life. In view of the foregoing, the board unanimously recommend that his application for pardon be granted.

On motion of Mr. Gilbert,

The application of Anna Sophia Anderson (file No. 81), for pardon, was granted.

Yeas—Messrs. Beck, Gilbert, Rarden and president, 4.

Nays—0.

The case was referred to Mr. Rarden to submit a recommendation thereon.

Mr. Rarden moved to reconsider the action previously taken by the board recommending a commutation of the sentence of Marcellus Robinson (file No. 47).

Which motion prevailed.

The question then recurring upon the original motion to recommend the commutation of the sentence of Marcellus Robinson (file No. 47), so that the same will expire June 15, 1894.

The motion did not prevail.

Yeas—Messrs. Beck and Gilbert, 2.

Nays—Messrs. Rarden and president, 2.

The board then took a recess to reconvene at the new Clifton House at 8 o'clock p. m.

EVENING SESSION.

8 o'clock P. M.

The board reconvened at the new Clifton House, and was called to order by the President.

Hon. John W. Stone, of Marquette, and several others, appeared before the board in behalf of the pardon of John McDonald (file No. 79).

On motion of Mr. Beck,

The board adjourned.

BOARD OF PARDONS, *Port Huron, Tuesday, June 26, 1894.*

The board convened in special session at the Huron House on the above date, and was called to order by the president, at 10 o'clock a. m.

Present, Messrs. Beck, Gilbert, Rarden and president.

Journal of previous session approved without reading.

In the absence of the secretary, Mr. Rarden acted as secretary pro tempore.

The following named persons appeared before the board, and made statements in the case of Robert Spencer (file No. 92).

Cyrus A. Hovey, ex-prosecuting attorney, Port Huron.
Frank T. Wolcott, Attorney, Port Huron.
Jacob Bernatz, sheriff, Port Huron.
O'Brien J. Atkinson, Attorney, Port Huron.
W. B. Morse, St. Clair.
Lincoln Avery, prosecuting attorney, Port Huron.
B. C. Farrand, attorney, Port Huron.
Samantha Koeppgen, Port Huron.
On motion of Mr. Rarden,
The board adjourned.

BOARD OF PARDONS,
Lansing, Tuesday, July 17, 1894. }

The board met in special session at the executive office on the above date, and was called to order by the president at 10 o'clock a. m.

Present—Messrs. Beck, Gilbert, Rarden and president.

Journal of previous session approved without reading.

Mrs. Agnes L. d'Arcambal, of Detroit, appeared before the board in behalf of the pardon of Charles S. Ford (file No. 159).

William Parrish, of Detroit, appeared before the board in behalf of the pardon of his brother, Frank E. Parrish (file No. 97).

The board then took a recess until 2 o'clock p. m.

AFTERNOON SESSION.

2 o'clock P. M.

The board reconvened at 2 o'clock p. m., and was called to order by the president.

The opinion in the case of James H. Harris (file No. 57), was presented to the board, in writing, by Mr. Smith, and unanimously adopted.

The opinion is as follows:

JAMES H. HARRIS, No. 4877 (File No. 57).

We would respectfully report that we have carefully investigated the application for pardon of James H. Harris, a convict in the State prison at Jackson, under a sentence of four years and ten months, for receiving stolen property imposed by the circuit court for Wayne county, September 29, 1890. Harris was convicted of receiving a horse and buggy knowing it to have been stolen, and shortly before had been convicted of stealing a cow. The evidence upon which he was convicted was partly circumstantial, and there may possibly be a slight doubt of his guilt, but we are satisfied that he had a fair and impartial trial, and that the jury were authorized in convicting him. He is in prison under an assumed name, his true name being Charles Brown, and his reputation previous to his con-

viction was rather bad. We think there is no good reason for disturbing the sentence imposed by the circuit judge, and would respectfully recommend that his application for pardon be denied.

The opinion in the case of Charles W. Waterman (file No. 71), was presented to the board, in writing, by Mr. Smith, and unanimously adopted.

The opinion is as follows:

CHARLES W. WATERMAN, No. 5154 (File No. 71).

We have the honor to report that we have carefully investigated the application for pardon of Charles W. Waterman, a convict in the State Prison at Jackson, under a sentence of five years, for larceny, imposed by the circuit court of St. Joseph county, October 30, 1891. The facts as developed on his trial are that in August, 1891, he hired a horse and buggy at Three Rivers, of Hosea Burch, a liveryman of that place, for the purpose of going into some neighboring townships to tune pianos and organs. That he immediately drove the horse to Westville, Indiana, a small town just south of Michigan City, some ninety miles from Three Rivers, and there sold the rig, saying that he obtained it of a man living near Colon in exchange for an organ. The applicant was defended by a competent attorney, and he had a fair and impartial trial, and we have no criticisms to make upon the verdict. There are papers on file tending to show that he has served two terms in the Indiana State prison, at Michigan City, and we have reason to believe that he has also been an inmate of some of the other prisons of the country. His application for clemency is opposed by both the prosecuting attorney and the circuit judge who tried the case, and we agree with them that there is no reason for interfering with the sentence imposed, and we would recommend that his application be denied.

The opinion in the case of James R. McDonald (file No. 4), was presented to the board, in writing, by Mr. Smith, and unanimously adopted.

The opinion is as follows:

JAMES R. McDONALD, No. 1274 (File No. 4).

We have the honor to report that we have investigated the application for pardon of James R. McDonald, who pleaded guilty to a charge of burglary, in the circuit court for Kalamazoo county, and was sentenced March 17, 1893, to imprisonment at the Ionia prison for a term of two and a half years. McDonald in company with two other young men burglarized the store of J. R. Hogg & Co. at Richland, Kalamazoo county, and stole about \$25 worth of property. He resided in the neighborhood where the crime was committed, and seems to have formerly borne a good reputation, although the prosecuting attorney who prosecuted the case says that there was some evidence at the examination that this was not his first offense. He admits his guilt, but thinks he has been sufficiently punished for his crime. Neither the circuit judge nor prosecuting attorney recommend any commutation of the sentence, and we are not prepared to say under the circumstances that we think his sentence excessive, or that justice requires any commutation thereof, and we would respectfully recommend that his application be denied.

The opinion in the case of Eugene H. Wood (file No. 38), was presented to the board, in writing, by Mr. Rarden, and unanimously adopted. The opinion is as follows:

EUGENE H. WOOD, No. 4484 (File No. 38).

In the matter of the petition for pardon of Eugene H. Wood, we respectfully submit the following report of our investigation in the premises, and a statement of the facts, as we understand them, together with our opinion and recommendation thereon.

1. The petitioner, who is a man 60 years of age, was tried and convicted of the crime of arson, before Hon. J. Byron Judkins, judge of the circuit court of the county of Osceola, and a jury, and was on the 4th day of December, 1888, sentenced for the term of sixteen years to the State Prison at Jackson, Michigan.

2. This man is a physician by profession, is well educated, and has evidently been a man of more than ordinary ability. He admits that he committed the act for which he was convicted, but says that he was insane at the time, and also at the time of his conviction. He seems to have had some trouble with his brother-in-law, D. A. Blodgett, of Grand Rapids, and was seeking to revenge himself upon him for some imaginary wrong, and burned his dwelling house, and that some time before this he had burned a valuable mill belonging to Mr. Blodgett.

3. He may have been insane at the time he committed this offense, but we do not feel called upon to decide this matter, but there is no question that he is now insane, and we believe that he should be sent to the criminal insane asylum. We do not think it would be safe to give him his liberty, were we so disposed, for we are convinced that there is just cause to apprehend that he would do personal violence to Mr. Blodgett.

We therefore recommend that the prayer of the petitioner be not granted.

All of which is respectfully submitted.

The recommendation in the case of Anna Sophia Anderson (file No. 81), was submitted to the board, in writing, by Mr. Rarden, and unanimously adopted.

The recommendation is as follows:

ANNA SOPHIA ANDERSON, No. 370 (File No. 81).

In the matter of the petition for pardon of Anna Sophia Anderson, we respectfully submit the following report of our investigation in the premises, and a statement of the facts, as we understand them, together with our opinion and recommendation thereon.

1. The petitioner, who is an ignorant Swedish woman, about 22 years of age, and who at the time she was tried had been a resident of this country but a short time, and could not speak the English language, was convicted of the crime of manslaughter, before the Hon. John W. Stone, circuit judge of Delta county, and a jury, and James H. Clancy, prosecuting attorney for said county, and was on the 21st day of January, 1892, sentenced for the term of five years to the State House of Correction and Branch of the State Prison at Marquette, Michigan.

2. The offense for which this woman was convicted was the killing of her illegitimate child immediately after its birth. It clearly appears that the father of the child had deceived and debauched her under promise of marriage and then deserted her, and being ignorant and in a strange land, without friends, and being driven almost insane by the condition in which she found herself, was either negligently or willfully the cause of her child's death, which was found in a privy vault while yet alive. She says it was dropped there ignorantly.

3. The officers of the prison say that although ignorant she is honest and trustworthy, and seems truly repentent for any wrong she may have done.

The warden of the prison says that she is the only woman in the prison, and that there is no proper accommodation for such persons in the prison, and the other prison officials earnestly recommend her release.

2. The judge, jury and prosecuting attorney before whom she was tried, and many other persons, join in a plea for executive clemency, and say that they believe the ends of justice have been fully met, and we are disposed to agree with them. It seems to us that the real criminal has escaped, while his victim is made to suffer the punishment that should have been meted out to him.

5. Under the circumstances we believe that, even if she did in her ignorance and distraction at the condition in which she found herself, commit this crime, she has been punished enough, and no good object can be attained by keeping her in prison longer.

We therefore respectfully recommend that she be pardoned and given her liberty at once.

The recommendation in the case of William J. Jobson (file No. 16), was submitted to the board, in writing, by Mr. Rarden, and unanimously adopted.

The recommendation is as follows:

WILLIAM J. JOBSON, No. 669 (File No. 16).

In the matter of the petition for pardon of William J. Jobson, who is a young man about 30 years of age, we respectfully submit the following report of our investigation in the premises, and a statement of the facts, as we understand them, together with our opinion and recommendation thereon.

1. The said William J. Jobson was tried and convicted of the crime of seduction before the Hon. William Newton, judge of the circuit court for the county of Genesee, and a jury, and Hon. J. M. Russell, prosecuting attorney for said county, and was on the 28th day of March, 1891, sentenced for the term of five years to the House of Correction and Reformatory, at Ionia, Michigan.

2. We regard this case as a very remarkable one in some features. The evidence and facts we have learned outside of the record show that Jobson had been frequently visiting the girl, Grace Jones, for a period of about three years prior to the alleged offense, and they were engaged to be married, and he continued to visit her as often at least as twice a week for two months afterwards, but she says that Jobson never made an improper proposal to her but this one time. It also clearly appears that while she was being visited by Jobson and she was telling him that she went with no other young men, she in fact was frequently visited by other men and went

out with them, staying so late at night that she was compelled to leave her boarding place. There was one young man by the name of Lytle who frequently called upon her and took her out at night during this time, whom she introduced as Jobson to the people with whom she was living. She was with this man the 3d and 4th of July, and she at first told her aunt, Mrs. Bennett, that this man Lytle was the father of her child, and that the act occurred when she was with him on the 3d and 4th of July aforesaid. She also testifies positively that the offense of which Jobson was convicted was committed on the 17th day of the same month, and identifies the day positively and circumstantially by associating this date with events that happened at that time, yet the testimony of the defendant, and of Hon. S. R. Billings, Mrs. Bird, Orrin Miller, Mr. Pon, Mr. Gobas and Mrs. Jobson, shows that Jobson could not possibly have been with this girl on that day or night, nor on several days each side of that day. It also appears that Jobson was not arrested until some time after the child was born, and in the meantime the man Lytle had absconded.

3. Grace Jones' child died about four months after the conviction of Jobson, and she is now married.

4. The petitioner says that he had intended to and would have married this girl, had he not learned that she was deceiving him, and that she was reckless in her conduct with other young men. He also strenuously insists that he respected this girl too much to make an indecent proposal to her, and that he never did, and that when he discovered that she was not treating him honestly he discontinued his intercourse with her and finally married another girl.

5. The petitioner now has a child about three years of age which is being cared for by his parents, who are old, infirm and poor, and need his assistance, not only for this child's sake, but for their own.

6. While ordinarily we do not deem it our province to criticise the verdict of a jury, yet, we are compelled by the circumstances to the conviction that a wrong has been done this man, for we unhesitatingly say that we are convinced that he was not guilty of the offense of which he was convicted, and we arrive at this conclusion not alone from the evidence in the case, but from facts not presented at the trial which have come to our knowledge.

7. We fully recognize the gravity of the crime of which this man was convicted, and have no excuses to offer in palliation of such an offense, but we should be untrue to ourselves and unjust to the petitioner should we fail to state boldly our opinion in this matter.

We therefore, being fully convinced that this man is innocent of this alleged crime, recommend that he be pardoned at once.

All of which is respectfully submitted.

On motion of Mr. Rarden,

The board adjourned to meet at Ionia prison on August 1, 1894.

ADVISORY PARDON BOARD.

BOARD OF PARDONS,
Ionia, Wednesday, August 1, 1894. }

The board convened at the office of the warden, at the State House of Correction and Reformatory, on the above date, and was called to order by the president at 9 o'clock a. m.

Present, Messrs. Gilbert, Rarden and president.

Journal of previous session approved without reading.

Convict Harold O. Henderson, No. 1123 (file No. 14), appeared before the board and made a statement of his case.

Convict Charles Norman, No. 1038 (file No. 120), appeared before the board and made a statement of his case.

Convict Fred S. Crampton, No. 1519 (file No. 121), appeared before the board and made a statement of his case.

The board then took a recess until 1 o'clock p. m.

AFTERNOON SESSION.

1 o'clock P. M.

The board reconvened, and was called to order by the president.

Convict John Leys, No. 811 (file No. 122), appeared before the board and made a statement of his case.

Convict Frank Mueller, No. 1409 (file No. 124), appeared before the board and made a statement of his case.

Convict Marc J. Bronkhorst, No. 757 (file No. 130), appeared before the board and made a statement of his case.

Convict Charles S. Ford, No. 1049 (file No. 159), appeared before the board and made a statement of his case.

On motion of Mr. Gilbert,

The board adjourned until to morrow morning at 9 o'clock.

BOARD OF PARDONS,
Ionia, Thursday, August 2, 1894. }

The board convened pursuant to adjournment, and was called to order by the president.

Present, Messrs. Beck, Rarden and president.

Journal of previous session approved without reading.

On motion of Mr. Rarden,

The sentence of Charles S. Ford (file No. 159) was commuted so as to expire August 10, 1894.

The case was referred to Mr. Rarden to submit an opinion and recommendation thereon.

The recommendation in the case of Charles S. Ford (file No. 159) was submitted to the board, in writing, by Mr. Rarden and unanimously adopted.

The recommendation is as follows:

CHARLES S. FORD, No. 1049 (File No. 159).

In the matter of the petition for pardon of Charles S. Ford, we respectfully submit the following report of our investigation in the premises, and a statement of the facts, as we understand them, together with our opinion and recommendation thereon.

1. The petitioner, who is a man 39 years of age, and of more than ordinary ability, on the 1st day of September, 1892, in the circuit court for the county of Kalamazoo, pleaded guilty to the crime of uttering a forged check for fifteen dollars, before Hon. George M. Buck, circuit judge, and L. N. Burke, prosecuting attorney for said county, and was sentenced for the term of two years and six months to the House of Correction and Reformatory at Ionia, Michigan.

2. We are aware that your confidence in this man has been shaken by his want of candor in denying his previous incarceration at Milwaukee for a similar crime, but we think that this breach of good faith is somewhat condoned by the fact, as we are informed and believe, that he was led to do this by the unwise counsel of friends who thought that, since the former crime had been expiated by punishment, it would be best not to acknowledge it to his prejudice. While this is really no excuse, yet, we feel that he should not be censured too severely under the circumstances, and for that reason alone be deprived of favorable action in an otherwise meritorious case.

3. We are fully convinced that this crime, if such it may be called, as well as the one which preceded it, were the result of intoxication, and was not committed because of a vicious or criminal mind. This man has been a bright and successful business man, and his only fault seems to have been that he periodically drank to intoxication. From the circumstances attending the crime for which he is now suffering punishment we are led to doubt the criminal intent necessary to be proved in cases of this class. Ford says he has no remembrance of the transaction, and it clearly appears he was very much intoxicated at the time. The act was committed in the city of Kalamazoo, where he had many business acquaintances and friends. He had money of his own at the time, and therefore had no imperative need of this small amount. It can scarcely be believed that a man of his ability and business capacity could have done this thing for such a pittance, when he must have foreseen, if he realized what he was doing that detection would quickly follow.

4. We do not believe that intoxication should ordinarily palliate or excuse crime, but where intent is a necessary ingredient of the offense it must be shown that the accused was at the time capable of forming the intent, and actually did have the criminal mind, yet, in this case we should hesitate to recommend clemency were we not convinced that this man has thoroughly reformed and will not again drink intoxicating liquors, and we are supported in this opinion by many good men who know him well.

5. Ford's conduct in prison has been most exemplary, and he has, during his incarceration, rendered valuable aid to the state, and has acquitted himself honorably and well in positions where honesty and fidelity are most essential to success, and he has thus won the commendations of Wardens Parsell and Fuller, and Chaplains Eldred and Mendenhall, and they join in an appeal for executive clemency.

6. Ford has now but forty days to serve, and it might appear ill-advised

to take any action at this late day, and especially in a case like this, were we not convinced that this man, if released at once, has an opportunity to redeem his life without the discouragements attendant upon the life of an ordinary ex-convict. Mr. George Cronk, who is a contractor in the prison, and knows Ford well and is fully acquainted with his past, offers him a lucrative and honorable position, where he cannot be injured or displaced by meddlesome parties bringing information of his criminal record. Justice does not emulate Shylock, and demand the last measure of punishment. We do not believe the state will be harmed by his release, and he will be much benefited, for if he is not released within ten days he will lose this opportunity, which means so much to him and his sisters and child, who look to him for aid.

7. A large number of prominent men and good citizens join in this appeal for clemency, including Judge Buck and Prosecuting Attorney Burke, before whom he pleaded guilty.

We therefore earnestly recommend that his term of imprisonment be commuted so that it will expire on the 10th day of August, 1894.

All of which is respectfully submitted.

Convict Howard J. Delano, No. 1492 (file No. 133), appeared before the board and made a statement of his case.

Convict George W. Langworthy, No. 1287 (file No. 135), appeared before the board and made a statement of his case.

Convict Harold O. Henderson, No. 1123 (file No. 14), appeared before the board and made a statement of his case.

Convict Frank E. Parrish, No. 977 (file No. 97), appeared before the board and made a further statement in his case.

On motion of Mr. Beck,

The board adjourned to meet at Marquette prison on Friday, August 17, 1894.

BOARD OF PARDONS,
Marquette, Friday, August 17, 1894. }

The board met at the office of the warden at the Marquette prison, and was called to order by the president at 11 o'clock a. m.

Present, Messrs. Beck, Gilbert, Rarden and president.

Journal of previous session approved without reading.

On motion of Mr. Gilbert,

The board recommended the pardon of James Harcourt (file No. 89).

Yeas—Messrs. Beck, Gilbert, Rarden and president, 4.

Nays—0.

Convict Oscar Strand, No. 108 (file No. 84), appeared before the board and made a further statement in his case.

On motion of Mr. Beck,

The board adjourned to meet at Jackson prison on Thursday, September 6, 1894.

BOARD OF PARDONS,
Jackson, Thursday, September 6, 1894. }

The board met at the office of the warden at State Prison, on the above date, and was called to order by the president at 10 o'clock a. m.

Present, Messrs. Beck, Rarden and president.

Journal of previous session approved without reading.

Convict Thomas E. Heddle, No. 5647 (file No. 128), appeared before the board and made a statement of his case.

Convict Wilbur E. Flynn, No. 4942 (file No. 129), appeared before the board and made a statement of his case.

Convict Henry Abbott, No. 5116 (file No. 131), appeared before the board and made a statement of his case.

The board then took a recess until 1 o'clock p. m.

AFTERNOON SESSION.

1 o'clock P. M.

The board reconvened, and was called to order by the president.

Convict William Jones Petoskey, No. 5161 (file No. 136), appeared before the board and made a statement of his case.

Convict Edward Dunn, No. 5356 (file No. 134), appeared before the board and made a statement of his case.

Convict Stub Wood, No. 5206 (file No. 138), appeared before the board and made a statement of his case.

Convict Charles W. Parrish, No. 5303 (file No. 162), appeared before the board and made a statement of his case.

On motion of Mr. Beck,

The application of Charles W. Parrish (file No. 162) for pardon, was denied.

Yeas—Messrs. Beck, Rarden and president, 3.

Nays—0.

The case was referred to the secretary to submit an adverse report thereon.

Convict Micheal Feeley, No. 5373 (file No. 137), appeared before the board and made a statement of his case.

Convict Charles Miller, No. 5781 (file No. 154), appeared before the board and made a statement of his case.

Convict Patrick J. Dillon, No. 5375 (file No. 160), appeared before the board and made a statement of his case.

Convict Isaac N. McMillan, No. 5279 (file No. 151), appeared before the board and made a statement of his case.

Convict John Diem, No. 5238 (file No. 163), appeared before the board and made a statement of his case.

Convict James Goodin, No. 5236 (file No. 164), appeared before the board and made a statement of his case.

On motion of Mr. Beck,

The board adjourned until tomorrow at 9 o'clock a. m.

BOARD OF PARDONS, }
Jackson, Friday, September 7, 1894. }

The board convened pursuant to adjournment and was called to order by the president.

Present, Messrs. Beck, Rarden and president.

Journal of previous session approved without reading.

Convict Joseph Schrott, No. 4688 (file No. 149), appeared before the board and made a statement of his case.

Convict Eugene Curtis, No. 4797 (file No. 150), appeared before the board and made a statement of his case.

Convict Frank Glover, No. 4333 (file No. 139), appeared before the board and made a statement of his case.

Convict Alexander C. Jamieson, No. 5466 (file No. 147), appeared before the board and made a statement of his case.

Convict Seth Aiken, No. 4944 (file No. 65), appeared before the board and made a further statement in his case.

Convict Thomas Kinney, No. 3048 (file No. 62), appeared before the board and made a further statement in his case.

Convict William B. White, No. 3240 (file No. 94), appeared before the board and made a further statement in his case.

Convict Nicholas Orth, No. 5565 (file No. 166), appeared before the board and made a statement in his case.

Convict Charles May, No. 5322 (file No. 44), appeared before the board and made a further statement in his case.

Upon motion of Mr. Rarden,

The board adjourned to meet at Detroit, September 25, 1894.

BOARD OF PARDONS, }
Detroit, Tuesday, September 25, 1894. }

The board convened at the Russell House and was called to order by the president at 10:30 o'clock a. m.

Present, Messrs. Beck, Gilbert, Rarden and president.

Journal of previous session approved without reading.

Hon. Philip T. Colgrove, of Hastings, appeared before the board and made an oral argument in behalf of William J. Carveth (file No. 59).

On motion of Mr. Rarden,

The application of Wallace Hayes (file No. 7) for pardon was denied.

Yeas—Messrs. Beck, Gilbert, Rarden, and president, 4.

Nays—0.

The case was referred to the secretary to submit an adverse report thereon.

On motion of Mr. Beck,

The board recommended that the sentence of Charles W. Allen, (file No. 27) be commuted so as to expire November 15, 1894.

Yeas—Messrs. Beck, Gilbert, Rarden and president, 4.

Nays—0.

The case was referred to Mr. Smith to submit a recommendation thereon.

On motion of Mr. Rarden,

The board took a recess until 5 o'clock p. m.

EVENING SESSION.

5 o'clock P. M.

The board reconvened, and was called to order by the president.

On motion of Mr. Beck,

The case of Charles May (file No. 44) was made a special order for the next meeting of the board, as the first order of business.

On motion of Mr. Rarden,

The application of William McLane (file No. 50) for pardon was denied.

Yeas—Messrs. Beck, Gilbert, Rarden and president, 4.

Nays—0.

The case was referred to the secretary to submit an adverse report thereon.

The recommendation in the case of James Harcourt (file No. 89) was presented to the board, in writing, by Mr. Gilbert, and unanimously adopted.

The recommendation is as follows:

JAMES HARCOURT, No. 313 (File No. 89).

The advisory board in the matter of pardons have had under consideration the application of James Harcourt, convicted of the crime of manslaughter, in the circuit court for the county of Chippewa, and now confined in prison at Marquette, for the term of two years from September 26, 1891—his prison number being 313—an we hereby submit our report and recommendation as follows:

The facts in the case are that on or about June 24, 1891, Daniel Dunn shot and killed Stephen Harcourt, a brother of the applicant, in Dunn's saloon at Seney, Schoolcraft county. Shortly thereafter Dunn was arrested on the charge of murder and taken before a justice of the peace at Manistique, and there discharged after only a partial examination.

As soon as Dunn was discharged, and before he left the justice's office, he paid Riggs, the prosecuting attorney of Schoolcraft county, quite a sum of money. It afterwards developed that the prosecuting attorney was more or less implicated in his discharge. Some time thereafter Riggs resigned his position and left the country. Dunn, immediately on being discharged, caused John Harcourt and Richard Harcourt, brothers of applicant, together with applicant, to be arrested, claiming that they had made threats against him. They were arrested at Seney on Sunday, July 26, 1891. The sheriff started with them for Manistique, by way of Trout Lake Junction, where it was necessary to change cars, and while there waiting for the train for Manistique, the sheriff took the three Harcourt brothers to a saloon situated near the depot. Upon arriving at the saloon they all stepped up to the bar, and while there, Dunn, who had been occupying a room over the saloon, came down in his shirt sleeves with a revolver in his front right hand pants pocket, and passed up to the bar. He was told before reach-

ing the foot of the stairs that the Harcourt brothers were in the bar-room, and was asked not to come into the bar-room while they were there. It appears from the testimony that Dunn had threatened to shoot applicant on sight, and that such information had been conveyed to applicant, who was fully acquainted with Dunn's life and character, and believed that he would carry out his threats if he got the least opportunity. It satisfactorily appears from the evidence that applicant was standing at the farther end of the bar from the stairs, that he did not see Dunn when he came through the room, and not until applicant turned from the bar to go out of the door. At the same time Dunn turned his head, saw applicant and immediately reached for his revolver, and was in the very act of turning around and trying to get his revolver from his pocket, when applicant drew his revolver and, as he maintained, immediately shot to save his own life. Just before the shooting, the sheriff and John and Richard Harcourt had stepped out of the bar room, leaving applicant to make change at the bar. Dunn's revolver was partially out of his pocket when he fell, and another revolver was found in his right hand hip pocket.

A full stenographic report of all the evidence and proceedings had on the trial is on file in this case, and we have carefully examined the same. We find from it that Dunn was a desperate villain, and had been charged with several murders prior to the killing of applicant's brother. It also appears that he had been guilty of a number of unprovoked brutal assaults, and that he was proprietor of, and had kept for a number of years, a low dive, which was the resort of the most degraded women and toughs. He was a large powerful man, and had the reputation of always going armed, and of having no regard whatever for human life. He was frequently called "Dunn the cutter," from his practice of always being armed with a dangerous knife which he had used in his quarrels with other men. From the evidence in the case we conclude that Dunn was one of the most desperate and brutal villains that had ever disgraced the state. He had served time both at the State Prison and Detroit House of Correction.

It further appears that applicant is a man of medium size, and before the killing of Dunn always bore a good reputation and was a law-abiding and industrious citizen. Applicant's pardon has been recommended by a great number of reputable citizens of the locality in which he lived, and by prominent citizens all over the State, as will be seen by the numerous letters and petitions on file with the board, and to which we refer.

It is further made to appear that the conviction could not have been obtained had the jury thought that so severe a sentence would be given, and it is further claimed with reason that Harcourt would have been acquitted altogether but for the fact that a man charged with murder in Chippewa county had a few months prior to applicant's trial been found not guilty, but had subsequently confessed, creating in the community a strong sentiment against any person charged with the crime.

After a most thorough examination of all the testimony given on the trial, and the evidence before the board, we are convinced that the shooting of Dunn by applicant was justifiable. We therefore respectfully recommend, in consideration of the premises, that a pardon be granted.

On motion of Mr. Beck,

The board recommended the pardon of Charles Averill (file No. 119).

Yeas—Messrs. Beck, Gilbert, Rarden and president, 4.

Nays—0.

The recommendation in the above case was submitted to the board, in writing, by Mr. Gilbert, and unanimously adopted.

The recommendation is as follows:

CHARLES AVERILL, No. 5487 (File No. 119).

The advisory board in the matter of pardons have had under consideration the application of Charles Averill, confined in the State Prison at Jackson, for pardon, and herewith submit its findings and recommendation.

We find that said Averill was sentenced to the State Prison on January 12, 1893, for a term of five years, for the crime of larceny.

We find and believe from the reports of Dr. N. R. Gilbert, a member of this board, who has, at the request of the other members, made a special examination of the applicant, and Dr. W. K. Gibson, the prison physician, whose reports are hereto attached, that said Averill has during the time of his incarceration contracted Brights disease, and that he is in a very critical condition and cannot live but a month or two. He has a home and friends where he can and will be cared for during the remainder of his life.

We therefore, without taking into consideration the merits or demerits of his application, recommend his pardon.

On motion of Mr. Rarden,

The board adjourned until tomorrow morning at 10:30 o'clock.

BOARD OF PARDONS,
Detroit, Wednesday, September 26, 1894. }

The board met pursuant to adjournment, and was called to order by the president.

Present—Messrs. Beck, Gilbert, Rarden and president.

Journal of previous session approved without reading.

On motion of Mr. Rarden,

The application of Michael K. Mills (file No. 53) for pardon was denied.

Yeas—Messrs. Beck, Gilbert, Rarden and president, 4.

Nays—0.

The case was referred to Mr. Beck to submit an adverse report thereon.

On motion of Mr. Rarden,

Mr. Gilbert was authorized to visit Ann Arbor and interview Dr. V. C. Vaughan in regard to the case of William J. Carveth (file No. 59).

On motion of Mr. Beck,

The case of Charles O. Seaman (file No. 61) was made a special order for the next meeting of the board, as the second order of business.

On motion of Mr. Gilbert,

Mr. Rarden and the secretary were directed to visit all necessary places in Wisconsin and in Ontonagon county, and make investigations in the case of John McDonald (file No. 79).

On motion of Mr. Beck,

The application of Alexander Visner (file No. 106) for pardon was denied.

Yeas—Messrs. Beck, Gilbert, Rarden and president, 4.

Nays—0.

The case was referred to the secretary to submit an adverse report thereon.

On motion of Mr. Beck,

The board adjourned to meet at the executive office, Lansing, on October 10, 1894.

BOARD OF PARDONS,
Lansing, Wednesday, October 10, 1894. }

The board convened in the executive office, and was called to order by the president at 11 o'clock, a. m.

Present—Messrs. Beck, Gilbert, Rarden and president.

Journal of previous session approved without reading.

The opinion in the case of Frank Emery (file No. 32) was submitted to the board in, writing, by Mr. Gilbert, and unanimously adopted.

The opinion is as follows:

FRANK EMERY, No. 2529 (File No. 32).

The advisory board in the matter of pardons has had under consideration the application of Frank Emery, now confined in the State Prison at Jackson, for pardon, and hereby submits its findings and recommendations.

We find that said Frank Emery was convicted at the general term of the circuit court for the county of Lapeer, in the city of Lapeer, on the 11th day of December, 1880, and sentenced to 21 years in the State Prison at Jackson, for the crime of robbery, the said Emery being armed with a dangerous weapon, to wit, a club about five feet in length, and with intent to kill, if resisted.

It appears, from the evidence adduced on the trial, and from parties living in the neighborhood of the crime who were cognizant of the facts, that an old man by the name of Patterson was working alone in the woods near the village of Metamora, when the applicant approached him and demanded his money, and on his refusing to deliver it up the said Emery dealt him a blow on the head with a club, felling him to the ground, and that he struck him several times after he had fallen. He then took Patterson's pocket-book containing a small sum of money and left him.

Patterson was found by his neighbors quite seriously wounded, and having lost a large quantity of blood. Emery acknowledged to the board that he was guilty of the offense, and that he had given the money, about \$13, to a friend so that it would not be found with him if arrested. He asked for pardon on the grounds of too long a sentence.

After careful investigation, weighing the evidence and circumstances, both by the papers on file with the board and from inquiries in the neighborhood where Emery lived, and where he was considered too dangerous a man to be at large, the board unanimously recommend that the application be denied.

On motion of Mr. Beck,

The application of George Higgins (file No. 108) was denied.

Yeas—Messrs. Beck, Gilbert, Rarden and president, 4.

Nays—0.

The case was referred to Mr. Gilbert to submit an adverse report thereon.

On motion of Mr. Beck,

The application of Martin Spandit (file No. 110) was denied.

Yeas—Messrs. Beck, Gilbert, Rarden and president, 4.

Nays—0.

The case was referred to Mr. Smith to submit an adverse report thereon.

On motion of Mr. Beck,

The application of Henry Knickerbocker (file No. 116), was denied.

Yeas—Messrs. Beck, Gilbert, Rarden and president, 4.

Nays—0.

The case was referred to the secretary to submit an adverse report thereon.

The board then took a recess until 2 o'clock p. m.

AFTERNOON SESSION.

2 o'clock P. M.

The board reconvened, and was called to order by the president.

On motion of Mr. Rarden,

The application of Major L. Evans (file No. 125) was denied.

Yeas—Messrs. Beck, Gilbert, Rarden and president 4.

Nays—0.

The case was referred to Mr. Beck to submit an adverse report thereon.

Hon. James Van Kleeck, of Bay City, appeared before the board in the matter of the application of Frank Glover (file No. 139), for pardon.

On motion of Mr. Rarden,

The application of Edward Dunn (file No. 134) was denied.

Yeas—Messrs. Beck, Gilbert, Rarden and president, 4.

Nays—0.

The case was referred to the secretary to submit an adverse report thereon.

On motion of Mr. Beck,

The application of Alex. C. Jamieson (file No. 147) was denied.

Yeas—Messrs. Beck, Gilbert, Rarden and president.

Nays—0.

The case was referred to Mr. Beck to submit an adverse report thereon.

On motion of Mr. Gilbert,

The board adjourned until tomorrow morning.

BOARD OF PARDONS,
Lansing, Thursday, October 11, 1894.

The board convened pursuant to adjournment, and was called to order by the president at 9 o'clock a. m.

Present—Messrs. Beck, Gilbert, Rarden and president.

Journal of previous session approved without reading.

On motion of Mr. Gilbert,

The board recommended the pardon of Henri Clough (file No. 104), a convict in Ionia Prison.

Yeas—Messrs. Beck, Gilbert, Rarden and president, 4.

Nays—0.

The case was referred to Mr. Rarden to submit a recommendation thereon.

On motion of Mr. Beck,

The board adjourned to meet at Ionia Prison on November 9, 1894.

BOARD OF PARDONS,
Ionia, Friday, November 9, 1894. }

The board convened at the office of the warden, at the State House of Correction and Reformatory, and was called to order by the president at 10 o'clock a. m.

Present—Messrs. Beck, Gilbert, Rarden and president.

Journal of previous session approved without reading.

Convict Edward Poole, Jr., No. 1432 (file No. 155), appeared before the board and made a statement of his case.

Convict Richard H. Downing, No. 1380 (file No. 156), appeared before the board and made a statement of his case.

Convict William Cann, No. 1099 (file No. 157), appeared before the board and made a statement of his case.

Convict Delbert Butts, No. 1694 (file No. 158), appeared before the board and made a statement of his case.

Convict Walter Sprong, No. 1640 (file No. 161), appeared before the board and made a statement of his case.

Convict Walter Connors, No. 1389 (file No. 170), appeared before the board and made a statement of his case.

The board then took a recess until 1 o'clock p. m.

AFTERNOON SESSION.

1 o'clock P. M.

The board reconvened, and was called to order by the president.

Convict Fred Cary, No. 1693 (file No. 174), appeared before the board and made a statement of his case.

Convict William Kappler, No. 1473, (file No. 148), appeared before the board and made a statement of his case.

On motion of Mr. Rarden,

The application of William Kappler (file No. 148) was denied.

Yeas—Messrs. Beck, Gilbert, Rarden and president, 4.

Nays—0.

The case was referred to Mr. Gilbert to submit an adverse report thereon.

Convict Robert Prator, No. 1262 (file No. 141), appeared before the board and made a statement of his case.

Convict David Calhoun, No. 1723, (file No. 179), appeared before the board and made a statement of his case.

Convict Andrew Chapin, No. 1071 (file No. 140), appeared before the board and made a statement of his case.

On motion of Mr. Beck,

The board adjourned to meet at Marquette Prison on Monday, November 19, 1894.

BOARD OF PARDONS,
Marquette, Monday, November 19, 1894. }

The board convened at the prison on the above date, and was called to order by the president at 9:30 o'clock a. m.

Present—Messrs. Beck, Gilbert, Rarden and president.

Journal of previous session approved without reading.

The recommendation in the case of Charles W. Allen (file No. 27) was presented to the board, in writing, by Mr. Smith, and unanimously adopted.

The recommendation is as follows:

CHARLES W. ALLEN, No. 4036 (File No. 27).

We have the honor to report that we have carefully investigated the application for pardon of Charles W. Allen, a convict in the State Prison at Jackson, under a sentence of twenty-three years for the crime of murder in the second degree, imposed January 28, 1887, by Hon. Alfred J. Mills, then judge of the circuit court for the county of Van Buren.

The applicant at the time of the homicide was a young man about 22 years of age, who, from childhood, had resided with his parents at Grand Junction, a small village in Van Buren county. His father was a man somewhat addicted to intoxication, and when under the influence of liquor was inclined to be quarrelsome, but the son was a quiet, inoffensive young man, with good habits, and up to the time of the unfortunate affair in question had enjoyed a good reputation in the community where he lived as a peaceable, sober and well-behaved young man. The person killed by young Allen was one John Crocker, residing in the same village, who was a quarrelsome, drunken fellow, and between whom and Joseph Allen, the father of the applicant, there had existed for some time a bitter feeling, and between whom several personal encounters had occurred. Crocker at various times had threatened both Joseph Allen and his son with personal violence, and on more than one occasion had assaulted them. A few months before the homicide Crocker had followed young Allen and his father along the street, with a large knife drawn, threatening their lives, and the threatened rashness of Crocker on that occasion was only stayed by Joseph Allen drawing a revolver and threatening to shoot him if he advanced upon them with his knife. Shortly before the day of the homicide Crocker made threats that if he could get hold of Charles or his father he

would tear their heart's blood out of them, and that he would break them up if it cost him his life to do so. On the evening of the fatal encounter young Allen was at the store kept by him in the village, and while engaged in waiting upon customers his father came in the store somewhat under the influence of liquor, saying that Crocker was across the way drinking and was coming over to the store to "do up" himself and son. Joseph Allen had a revolver in his pocket which his son succeeded in taking away from him, and placed it behind the counter. About this time a young man came running into the store saying that Crocker and two or three of his associates were on their way to the store. Young Allen asked the people in the store to vacate the same as he wanted to close up the store and go home and avoid any trouble. He at once closed the store, although it was not yet six o'clock, and he and his father started for their home, which was about fifty rods distant. As they came out to the railroad track on their usual way home Crocker and two of his associates came on to the track and began to follow them, Crocker threatening to kill them. Crocker advanced towards them, threatening their lives and putting his hand in his pocket as if he intended to draw a weapon, and when quite near them young Allen stopped and drew a revolver from his pocket and commanded Crocker to halt and not approach nearer or he would shoot him. Crocker gave no heed to the warning, but continued to advance upon them, threatening their lives. Young Allen then fired, hitting Crocker in the arm, and retreated from him. Crocker rushed after him, and when within a few feet of him Allen again warned him to keep away. Crocker paid no attention to this second warning, but continued to advance toward Allen, and when within about eight feet of him Allen fired the fatal shot. Crocker was a large strong man, weighing 196 pounds, while young Allen weighed but 126 pounds. Charles Allen and his father were jointly indicted and both convicted of murder. Joseph Allen, some time after his sentence to the State Prison, committed suicide, occasioned, as we have every reason to believe, by the remorse felt over his belief that he was the cause of bringing this great disgrace upon his son.

The case was tried under great excitement, and the prisoners were unfortunate in not being able at the time to procure important evidence showing the true character of the homicide, which evidence has been discovered since the trial. The prosecuting attorney who tried the case, Hon. Alonzo H. Chandler, informs us that the evidence which came to his knowledge after the trial changed his mind regarding the guilt of young Allen, and he now recommends his pardon as an act of justice, and writes us that he believes he will make a good law-abiding citizen. Ten of the jurors who sat in the case—the other two have moved away and could not be found—recommend a pardon, and the learned circuit judge who sentenced Allen wrote the board of pardons nearly two years ago that he thought the young man had been sufficiently punished, and he now recommends his release. A lengthy petition favoring a pardon is also on file, signed by a large number of the best citizens of Van Buren county, and from numerous inquiries made we are satisfied that the people generally of that county would be highly pleased to see young Allen pardoned.

Had the evidence as it has been laid before us been presented to the jury which tried the case, we do not think young Allen would have been convicted, and it is probable that the strong feeling existing against Joseph Allen at the time of the trial had no little influence in bringing about the conviction of his son. We are satisfied that the homicide, if not justifi-

able, would not warrant a jury in convicting of any greater offense than that of manslaughter, and the character of the homicide was such that a sentence therefor for more than seven years ought to be regarded as excessive. Allen has already served out a sentence of over ten years. His conduct in prison has been such as to gain for him the good report of the officers of the prison. His habits are good, and he possesses none of the instincts of a criminal, and we believe if released he will make a good and valuable citizen. Our conclusion is that justice has been fully satisfied in his case, and the best interests of society call for his release from further imprisonment, and we respectfully recommend that his sentence be commuted to expire at once.

Convict John McDonald, No. 71 (file No. 79), appeared before the board and made a further statement in his case.

Convict Morris N. Sackett, No. 329 (file No. 146), appeared before the board and made a further statement in his case.

On motion of Mr. Rarden,

The application of Morris N. Sackett (file No. 146) for pardon was denied.

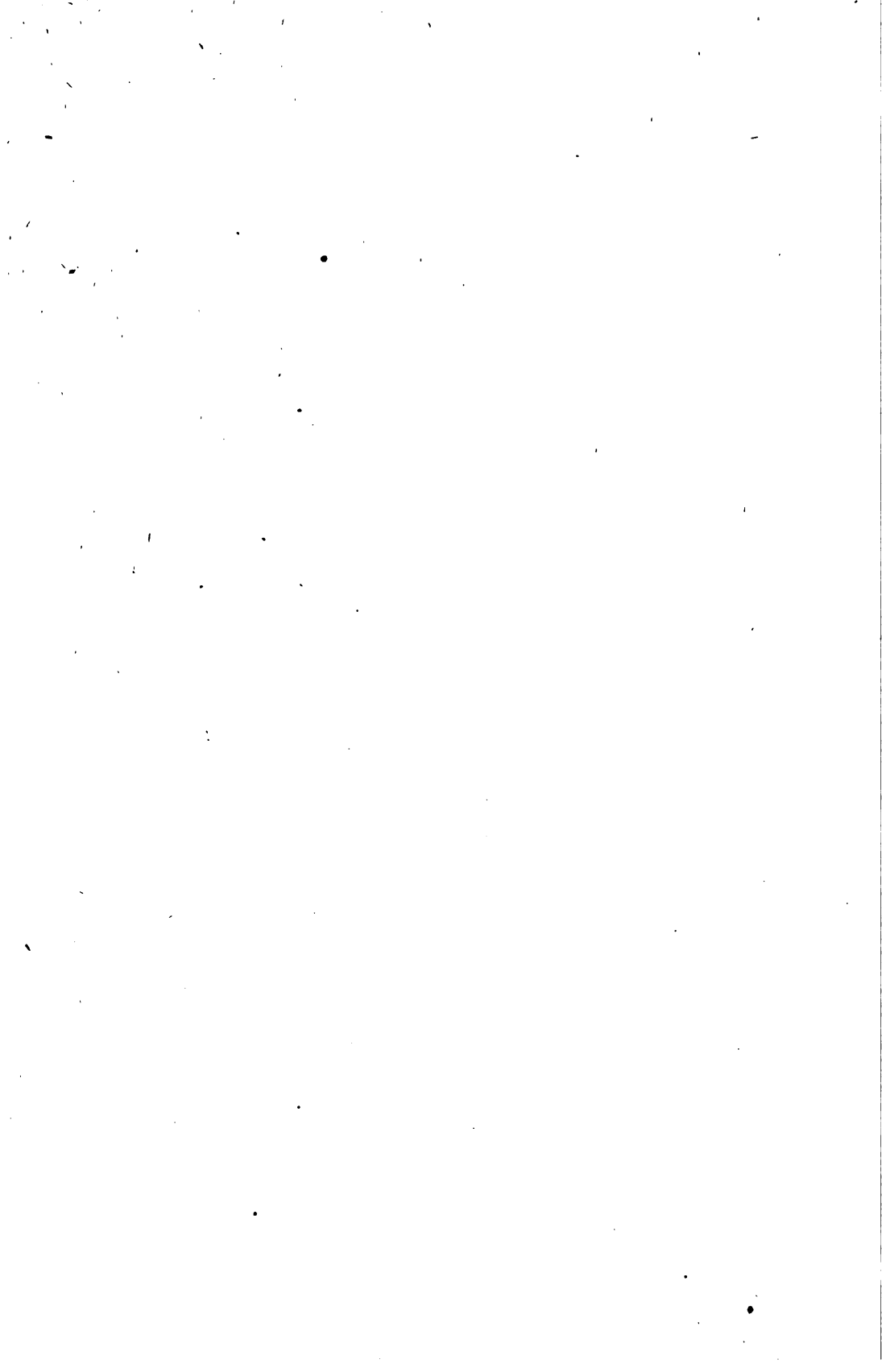
Yeas—Messrs. Beck, Gilbert, Rarden and president, 4.

Nays—0.

The case was referred to Mr. Gilbert to submit an adverse report thereon.

On motion of Mr. Beck,

The board adjourned to meet at Jackson Prison on December 20, 1894.



APPENDIX



APPENDIX.

APPLICATIONS GRANTED.

The following is a list of applications in which either a pardon or commutation of sentence was recommended by the Board of Pardons during the year ending November 29, 1894:

File No.	Name of Convict.	When Granted.
5	John Jansen	May 16, 1894.
13	Henry Williams	January 17, 1894.
15	John W. Grebel	May 16, 1894.
16	William J. Jobson	May 16, 1894.
17	Gustus R. Garlow	January 17, 1894.
19	Frederick Brooks	December 20, 1893.
22	Walter R. Harms	May 16, 1894.
*27	Charles W. Allen	September 25, 1894.
40	Frank J. Raymond	February 3, 1894.
81	Anna Sophia Anderson	May 28, 1894.
*89	James Harcourt	August 17, 1894.
95	Henry Grandahl	March 21, 1894.
*104	Henri Clough	October 11, 1894.
119	Charles Averill	September 25, 1894.
159	Charles S. Ford	August 2, 1894.

PARDONS AND COMMUTATIONS.

The following is a list of pardons and commutations issued by the Governor, on recommendations made by the board of pardons, for the year ending November 29, 1894.

File No.	Name of Convict.	When Issued.
5	John Jansen	July 19, 1894.
13	Henry Williams	March 1, 1894.
15	John W. Grebel	July 19, 1894.
16	William J. Jobson	November 21, 1894.
17	Gustus R. Garlow	March 1, 1894.
19	Frederick Brooks	January 30, 1894.
22	Walter R. Harms	June 22, 1894.
40	Frank J. Raymond	February 8, 1894.
81	Anna Sophia Anderson	August 10, 1894.
95	Henry Grandahl	April 23, 1894.
119	Charles Averill	October 13, 1894.
159	Charles S. Ford	August 14, 1894.

NOTE.—In the cases marked with an asterisk the recommendations of the board have not been acted upon by the Governor.

APPLICATIONS DENIED.

The following is a list of the applications that have been denied by the board of pardons for the year ending November 29, 1894 :

File No.	Name of Convict.	When Denied.
1	C. Lennox Petherick	January 17, 1894.
2	Purl Heath	April 19, 1894.
4	James R. McDonald	May 16, 1894.
7	Wallace Hayes	September 25, 1894.
10	William Loree	May 16, 1894.
11	Levi Hammond	January 17, 1894.
12	John Kreiling	March 21, 1894.
18	William Aplin	May 16, 1894.
21	Andrew Anderson	January 17, 1894.
23	Ed Hoagland	January 17, 1894.
31	William A. Danforth	March 21, 1894.
32	Frank Emery	March 21, 1894.
34	James E. Lawson	January 24, 1894.
38	Eugene H. Wood	May 16, 1894.
41	Franklin W. Bickford	March 21, 1894.
43	Peter Hanson	May 16, 1894.
50	William McLane	September 25, 1894.
52	Louis E. Anthony	March 21, 1894.
53	Michael K. Mills	September 26, 1894.
54	Charles Smith	March 21, 1894.
57	James H. Harris	May 16, 1894.
71	Charles W. Waterman	May 16, 1894.
73	George Wilson	March 21, 1894.
77	John M. Higgins	March 21, 1894.
80	Charles H. Elliott	March 22, 1894.
82	George W. Blake	March 22, 1894.
83	Joseph Sabourin	March 22, 1894.
85	Peter J. Schulte	March 22, 1894.
106	Alexander Visner	September 26, 1894.
107	Albert Bluedick	April 19, 1894.
108	George Higgins	October 10, 1894.
110	Martin Spandit	October 10, 1894.
116	Henry Knickerbocker	October 10, 1894.
125	Major L. Evans	October 10, 1894.
134	Edward Dunn	October 10, 1894.
146	Morris N. Sackett	November 19, 1894.
147	Alex. C. Jamieson	October 10, 1894.
148	William Kappler	November 9, 1894.
162	Charles W. Parrish	September 6, 1894.

TERMS EXPIRED.

The following is a list of the several convicts whose applications have been considered by the board of pardons, whose terms of imprisonment have expired during the year ending November 29, 1894:

File No.	Name of Convict.	Date of Expiration.
1.....	C. Lennox Petherick.....	April 20, 1894.
2.....	Purl Heath.....	September 5, 1894.
*8.....	Jesse A. Sage.....	May 23, 1894.
*9.....	Edward Noetling.....	October 5, 1894.
11.....	Levi Hammond.....	April 23, 1894.
12.....	John Kreiling.....	October 29, 1894.
21.....	Andrew Anderson.....	March 25, 1894.
*37.....	Moses C. Tucker.....	August 22, 1894.
*47.....	Marcellus Robinson.....	July 15, 1894.
*56.....	Orlando Perry.....	March 21, 1894.
57.....	James H. Harris.....	August 12, 1894.
*58.....	Theron W. Graham.....	June 8, 1894.
*74.....	Aldis Snyder.....	September 15, 1894.
83.....	Joseph Sabourin.....	August 11, 1894.
*93.....	Richard E. Mudge.....	July 26, 1894.
*98.....	Peter Cuneveaux.....	June 16, 1894.
*102.....	Frank Searls.....	July 24, 1894.
*103.....	William Trombly.....	May 5, 1894.
*115.....	David E. Davis.....	July 20, 1894.
*121.....	Fred S. Crampton.....	October 26, 1894.
*153.....	Andrew Elson.....	October 12, 1894.

NOTE—In the cases marked with an asterisk no final action was taken by the board.

PARDONS.

The following is a list of cases where pardons were granted by the Governor, on the recommendation of the board of pardons, with the reasons therefor, for the year ending November 29, 1894:

FREDERICK BROOKS.

State House of Correction and Reformatory, at Ionia. Convicted in the recorder's court for the city of Detroit, of sodomy, and sentenced for ten years from August 24, 1892. Pardoned January 30, 1894.

In a case identical with this in every respect it was decided by the supreme court that a person convicted under similar circumstances and with similar evidence, was not legally convicted, and the discharge of the accused was ordered. This case was decided December 3, 1892, and is reported in 94 Michigan reports, at page 27. The mother of Brooks is a poor colored washerwoman, and could not raise money to defray the expense of an appeal, and the legal time for taking an appeal has now expired. The time of his imprisonment has already exceeded the time for which he could have been imprisoned for a simple assault, and not believing that a person should be illegally confined by reason of his poverty, his release is ordered.

FRANK J. RAYMOND.

State Prison, at Jackson. Convicted in the circuit court for the county of Kent, of larceny from the person, and sentenced for five years from November 16, 1891. Pardoned February 8, 1894.

The release of Raymond is recommended by the board of pardons after a most thorough examination, as he is in the last stages of consumption, and can live but a short time. He has already served two years and three months, and his punishment has been increased by his sickness. His home is in another state, and common humanity dictates that he be permitted to die among his relatives. His pardon is therefore granted.

ANNA SOPHIA ANDERSON.

State House of Correction and Branch of State Prison in the upper peninsula, at Marquette. Convicted in the circuit court for the county of Delta, of manslaughter, and sentenced for five years from January 21, 1892. Pardoned August 10, 1894.

The convict was an ignorant Swedish woman, about 22 years old, and

at the time of her conviction could not speak the English language. She was convicted of the killing of her illegitimate child immediately after its birth. The father had deceived and debauched her under promise of marriage, and then deserted her, and being ignorant and in a strange land without friends, and driven nearly insane by the condition in which she found herself, she either negligently or willfully caused the death of her child. She has now been incarcerated over two years, and seems truly repentant for any wrong she may have done. The judge, jury and prosecuting attorney, before whom she was tried, as well as many others, join in a plea for executive clemency. The pardon board has also recommended her release. Believing that the real criminal has escaped, while his victim has been made to suffer, and that the ends of justice, in her case, have been fully met, her release is ordered at once.

CHARLES AVERILL.

State Prison, at Jackson. Convicted in the circuit court for the county of Ottawa, of larceny, and sentenced for five years from January 12, 1893. Pardoned October 13, 1894.

Averill's release is recommended by the prison physician and the pardon board, on the ground that he is seriously and dangerously affected with Bright's disease, and cannot long survive. He has friends to care for him, and his release is therefore ordered.

JOHN JANSEN.

State House of Correction and Reformatory, at Ionia. Convicted in the superior court of the city of Grand Rapids, of burglary and larceny, and sentenced for three years and three months from December 18, 1891. Pardoned July 19, 1894.

Jansen is suffering from tubercular adenitis, from which he cannot recover. His friends are willing to properly care for him during the remainder of his lifetime.

COMMUTATIONS.

The following is a list of cases where commutations were granted by the Governor, on the recommendaiton of the board of pardons, with the reasons therefor, for the year ending November 29, 1894:

HENRY WILLIAMS.

State House of Correction and Reformatory, at Ionia. Convicted in superior court of the city of Grand Rapids, of burglary and larceny, and sentenced for three years from December 13, 1892. Sentence commuted March 1, 1894, so as to expire March 1, 1894.

This commutation is unanimously recommended by the board of pardons. Williams is a bright young man, who has always borne a good reputation. It is claimed that he, in company with two other young men, John Courtney and Albert Gordon, removed a light of glass from the front window of a saloon in Grand Rapids, and stole therefrom a bottle of wine. Upon being arrested, Courtney and Gordon admitted their guilt, and when arraigned pleaded guilty to the charge, and Courtney was sentenced to Ionia for one year, and Gordon to the same institution for two years. Williams pleaded not guilty, and was tried and convicted and sentenced to three years. The bottle of wine was found with Courtney, and the only testimony connecting Williams with the crime was that of two policemen who claimed to be in the saloon at the time the wine was taken, and who claimed to identify him as one of the parties to the larceny. Both Courtney and Gordon have made affidavits to the effect that Williams was not with them at the saloon, and was in no way implicated in the crime.

The trial judge and prosecuting attorney both agree that this is a proper case for executive clemency. From the circumstances of the case there is grave doubt of Williams' guilt, but inasmuch as his guilt has been passed upon by a jury, a pardon cannot be consistently granted. Believing that justice has been fully served in any event, his term of imprisonment is hereby commuted so as to expire March 1, 1894.

GUSTUS R. GARLOW.

State House of Correction and Reformatory, at Ionia. Convicted in the circuit court for the county of Montcalm of assault with intent to do great bodily harm less than murder, and sentenced for two years and six months from March 19, 1892. Sentence commuted March 1, 1894, so as to expire March 1, 1894. The offense for which Garlow was convicted seems

to have been committed under great provocation and in a quarrel instigated by the person upon whom the assault was made. While it is clear that Garlow was technically guilty of an assault, the circumstances make it difficult to believe that he intended to inflict any great bodily injury. The petition for his release is signed by the trial judge, prosecuting attorney, fifty-three citizens of the immediate vicinity of the place where the crime was committed, including all of the most respected men in the community, all of the officers of Montcalm county at the time of the trial, and many others. His conduct while in confinement has been in the highest degree exemplary. Being convinced that the law and justice have been fully vindicated, and that clemency will now appeal to the best impulses of his manhood and teach him the additional lesson that the law is not vindictive, his term of imprisonment is commuted so as to expire March 1, 1894.

HENRY GRANDAHL.

Detroit House of Correction. Convicted in the recorder's court for the city of Detroit, of receiving stolen property, and sentenced for two years from May 25, 1893. Sentence commuted April 23, 1894, so as to expire May 1, 1894.

This is his first offense. Under all the circumstances the sentence seems to be out of proportion to the offense. His release is recommended by the complaining witness, the prosecuting attorney who prosecuted him, the judge who passed sentence, his former employer, who offers him employment when released, and the pardon board. In view of all the facts it seems to be a case where executive clemency can be properly exercised.

WALTER R. HARMS.

State House of Correction and Reformatory at Ionia. Convicted in the superior court of the city of Grand Rapids, of grand larceny, and sentenced for four years from November 6, 1891. Sentence commuted June 22, 1894, so as to expire June 22, 1894.

This young man was sentenced for grand larceny. It appears from the testimony that it was in fact but petit larceny. His punishment has been greatly added to by the fact that he is suffering from an incurable disease, and can live but a short time. It would seem from the testimony that the ends of justice can best be served by his release. His release is recommended by the judge, prosecuting attorney and board of pardons.

JOHN W. GREBEL.

State House of Correction and Reformatory, at Ionia. Convicted in the superior court for the city of Grand Rapids, of burglary, and sentenced for seven years from December 17, 1891. Sentence commuted July 19, 1894, to three years.

Grebel has consumption in its last stages. He has been for a long time, and is now, confined in the prison hospital. His release is recommended by the judge, prosecuting attorney, pardon board, and citizens of Grand Rapids generally.

ADVISORY PARDON BOARD.

CHARLES S. FORD.

State House of Correction and Reformatory, at Ionia. Convicted in the circuit court for the county of Kalamazoo, of forgery, and sentenced for two years and six months from September 1, 1892. Sentence commuted August 14, 1894, so as to expire August 14, 1894.

Ford's release was recommended by the circuit judge and prosecuting attorney before whom he was tried, and by the board of pardons. He is offered a lucrative and honorable position immediately upon his release, and in the hope that he will hereafter endeavor to lead a useful and honest life, clemency is extended.

WILLIAM J. JOBSON.

State House of Correction and Reformatory, at Ionia. Convicted in the circuit court for the county of Genesee, of seduction, and sentenced for five years from March 28, 1891. Sentence commuted November 21, 1894, so as to expire November 28, 1894.

After a full investigation, his release has been recommended by the board of pardons, and believing there is at least a reasonable doubt of his being guilty of the specific offense charged, and that under all the circumstances the punishment seems to have been already sufficient for the offense committed, his sentence is commuted.

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